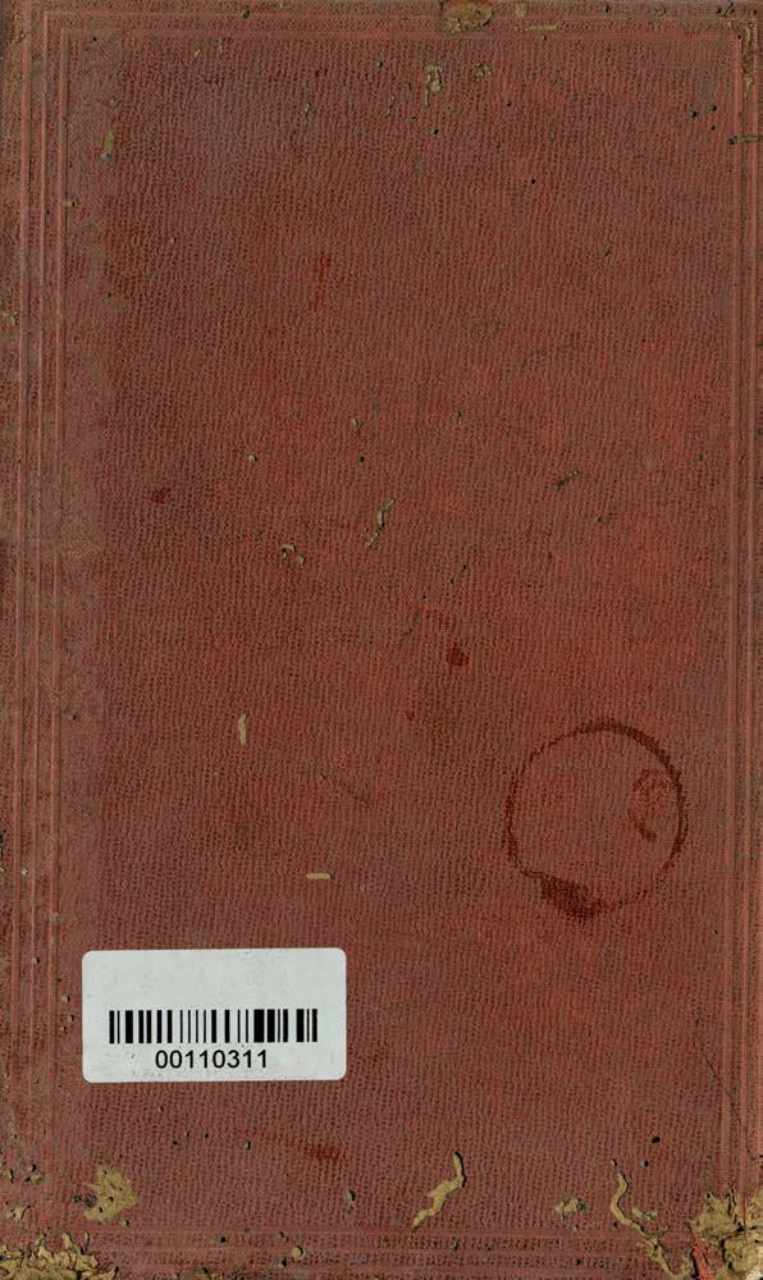
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THE

PUBLIC GENERAL ACTS

PASSED IN THE TENTH AND ELEVENTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH;

BEING THE

SECOND SESSION OF THE THIRTY-FIRST PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

WITH A

TABLE OF THE TITLES AND AN INDEX.

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TABLE

OF

The TITLES of the PUBLIC GENERAL ACTS passed in the SECOND Session of the THIRTY-FIRST Parliament of the United Kingdom of GREAT BRITAIN and IRELAND.

10 & 11 GEORGE 5.—A.D. 1920.

1. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and twenty and one thousand nine hundred and twenty-one. (*Consolidated Fund* (*No.* 1).)

2. An Act to amend section six hundred and fifty-nine of the Merchant Shipping Act. (*Merchant Shipping* (*Amendment*).)

3. An Act to amend the Law in respect of the Standard Fineness of Silver Coins current in the United Kingdom and in other parts of His Majesty's Dominions. (*Coinage.*)

4. An Act to make temporary provision on account of the emergency arising from the war as to the profits and control of, wages in, and advances in respect of, colliery undertakings, and for purposes connected therewith. (*Coal Mines* (*Emergency*).)

5. An Act to continue temporarily certain emergency enactments and regulations, and to make provision with respect to the expiration or revocation of emergency enactments and instruments made thereunder. (*War Emergency Laws* (*Continuance*).)

6. An Act to carry into effect Treaties of Peace between His Majesty and certain other Powers. (*Treaties of Peace* (*Austria and Bulgaria*).)

7. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force, and to repeal certain provisions in section twelve of the Air Force (Constitution) Act, 1917. (*Army and Air Force (Annual).*)

8. An Act to further amend the Law as to the Letting and Rating of small Dwelling-Houses in Scotland. (*House-Letting and Rating (Scotland).*)

9. An Act to provide for the variation of the provisions regulating the raising of Capital by Companies carrying on certain statutory undertakings. (*Public Utility Companies (Capital Issues).*)

10. An Act to amend the Acts relating to National Health Insurance. (*National Health Insurance.*)

11. An Act to make temporary provision for restricting the granting of orders for recovery of possession of, or the ejection of tenants from, certain dwelling-houses in Scotland. (*Ejection (Suspensory Provisions) (Scotland).*)

12. An Act to amend the Enactments relating to Savings Banks; to extend to National Savings Certificates the enactments relating to War Savings Certificates; and to amend the Law with respect to the transfer of Government stock by Savings Bank authorities. (*Savings Banks.*)

13. An Act to amend and extend the duration of the Profiteering Acts, 1919. (*Profiteering (Amendment).*)

14. An Act to make further provision for the temporary modification of the charges which may be made in respect of and the obligations affecting Tramway Undertakings. (*Tramways (Temporary Increase of Charges).*)

15. An Act to remove doubts as to the interpretation of subsection (4) of section five of the Representation of the People Act, 1918. (*Representation of the People.*)

16. An Act to make provision for the management of the Imperial War Museum, and for other purposes connected therewith. (*Imperial War Museum.*)

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18. An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the Law relating to Customs and Inland Revenue (including Excise), and the National Debt, and to make further provision in connexion with Finance. (*Finance.*)

19. An Act to authorise an increase in the amount of certain payments by County Councils to the County Councils Association. (*County Councils Association Expenses (Amendment).*)

20. An Act to amend the Acts relating to the practice of Veterinary Surgery and Medicine. (*Veterinary Surgeons Act* (1881) *Amendment.*)

21. An Act to make provision for the temporary modification of the charges which may be made in respect of Ports, Harbour, Dock, and Pier Undertakings. (*Harbours, Docks, and Piers (Temporary Increase of Charges).*)

22. An Act to reduce temporarily the rates payable in respect of Ecclesiastical Tithe Rentcharge. (*Ecclesiastical Tithe Rentcharge (Rates).*)

23. An Act to amend the War Pensions Acts, 1915 to 1919, and the Ministry of Pensions Act, 1916. (*War Pensions.*)

24. An Act to amend the Law with respect to the Place of Payment of Notes issued by Banks of Issue in Ireland. (*Bank Notes (Ireland).*)

25. An Act to amend section eight of the Public Libraries (Ireland) Act, 1855, and for other purposes incidental thereto. (*Public Libraries (Ireland).*)

26. An Act to amend the Law relating to the offices of Sheriff and Under-Sheriff in Ireland; and for other purposes incidental thereto. (*Sheriffs (Ireland).*)

27. An Act to confirm an Agreement made between His Majesty's Government in London, His Majesty's Government of the Commonwealth of Australia, and His Majesty's Government of the Dominion of New Zealand, in relation to the Island of Nauru. (*Nauru Island Agreement.*)

28. An Act to amend the Law with respect to the supply of Gas. (*Gas Regulation.*)

29. An Act to authorise the granting of Credits and the undertaking of Insurances for the purpose of re-establishing Overseas Trade. (*Overseas Trade (Credits and Insurance).*)

30. An Act to amend the Law in respect of Insurance against Unemployment. (*Unemployment Insurance.*)

31. An Act to make provision for the Restoration and Maintenance of Order in Ireland. (*Restoration of Order in Ireland.*)

32. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and nineteen and one thousand nine hundred and twenty-one, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

33. An Act to facilitate the enforcement in England and Ireland of Maintenance Orders made in other parts of His Majesty's Dominions and Protectorates and vice versâ. (*Maintenance Orders* (*Facilities for Enforcement*).)

34. An Act to amend the Law relating to the payment of Duplicands of Feu-duties in Scotland. (*Duplicands of Feu-duties* (*Scotland*).)

35. An Act to make further provision with respect to the fine for the counting of Votes at Parliamentary Elections, and to amend the Law with respect to the right of voting by proxy; and for purposes connected therewith. (*Representation of the People* (*No.* 2).)

36. An Act to authorise the Increase of certain Pensions. (*Pensions* (*Increase*).)

37. An Act to provide for raising further Money for the purpose of the Telegraph Acts, 1863 to 1916, and to amend section four of the Telegraph (Money) Act, 1876. (*Telegraph* (*Money*).)

38. An Act to amend the Law relating to the Salaries and Allowances of Resident Magistrates in Ireland. (*Resident Magistrates* (*Ireland*).)

39. An Act to provide for the extension to Scotland of Part IV. of the Merchant Shipping Act, 1894. (*Merchant Shipping* (*Scottish Fishing Boats*).)

40. An Act to amend the Law with respect to the statutory limits on Postal and Telegraph Rates, and with respect to the remuneration to be paid to railway companies for the conveyance of Postal Parcels, and otherwise to amend the Post Office Acts, 1908 to 1915. (*Post Office and Telegraph.*)

41. An Act to make provision for the taking from time to time of a Census for Great Britain or any area therein and for otherwise obtaining Statistical Information with respect to the Population of Great Britain. (*Census.*)

42. An Act for taking the Census for Ireland in the year nineteen hundred and twenty-one. (*Census (Ireland).*)

43. An Act to amend the Law relating to Firearms and other Weapons and Ammunition, and to amend the Unlawful Drilling Act, 1819. (*Firearms.*)

44. An Act to control temporarily the Exportation of certain Fertilisers. (*Fertilisers (Temporary Control of Export).*)

45. An Act to amend the Public Libraries Consolidation (Scotland) Act, 1887. (*Public Libraries (Scotland).*)

46. An Act to regulate the Importation, Exportation, Manufacture, Sale and Use of Opium and other Dangerous Drugs. (*Dangerous Drugs.*)

47. An Act to continue temporarily the office of Food Controller and to make further provision with respect to his powers, and for purposes in connexion therewith. (*Ministry of Food (Continuance).*)

48. An Act to restrict the taking of legal proceedings in respect of certain acts and matters done during the war, and provide in certain cases remedies in substitution therefor, and to validate certain proclamations, orders, licences, ordinances, and other laws issued, made, and passed, and sentences, judgments, and orders of certain courts given and made during the war. (*Indemnity.*)

49. An Act to promote the Welfare of Blind Persons. (*Blind Persons.*)

50. An Act to provide for the better administration of mines, and to regulate the coal industry, and for other purposes connected with the mining industry and the persons employed therein. (*Mining Industry.*)

51. An Act to make provision with respect to the administration of the estates of the Duchy of Lancaster, and with respect to the solicitor for the affairs of the said Duchy. (*Duchy of Lancaster.*)

52. An Act to prevent the writing, printing, publishing, or circulating in the United Kingdom of Advertisements, Circulars, or Coupons of any Ready Money Football Betting Business. (*Ready Money Football Betting.*)

53. An Act to provide for the qualification of and manner of enrolling Women as Jurors in Scotland. (*Jurors (Enrolment of Women) (Scotland).*)

54. An Act to amend the Law with respect to the Sale and Use of Seeds for sowing and of Seed Potatoes, and to provide for the testing thereof. (*Seeds.*)

55. An Act to make exceptional provision for the Protection of the Community in cases of Emergency. (*Emergency Powers.*)

56. An Act to authorise the Enfranchisement of the Sites of Places of Worship held under Lease. (*Places of Worship (Enfranchisement).*)

57. An Act to make better provision for the employment of unemployed persons by facilitating the acquisition of, and entry on, land required for works of public utility, and for purposes connected therewith. (*Unemployment (Relief Works).*)

58. An Act to continue temporarily and give effect to certain orders relating to the early closing of shops and for purposes connected therewith. (*Shops (Early Closing).*)

59. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-one, and to appropriate the further Supplies granted in this Session of Parliament. (*Appropriation (No. 2).*)

60. An Act to amend the Law with respect to Customs in the Isle of Man. (*Isle of Man (Customs).*)

61. An Act to grant money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. (*Public Works Loans.*)

62. An Act to make provision for the better protection of Women and Young Persons against Lead Poisoning. (*Women and Young Persons (Employment in Lead Processes).*)

63. An Act to provide for the inclusion in Orders made under the Summary Jurisdiction (Married Women) Act, 1895, of a provision for the Maintenance of the Children of the marriage under sixteen. (*Married Women (Maintenance).*)

64. An Act to amend the Law regarding the Property of Married Women in Scotland. (*Married Women's Property (Scotland).*)

65. An Act to carry out certain Conventions relating to the employment of Women, Young Persons, and Children, and to amend the Law with respect to the employment of Women and Young Persons in Factories and Workshops. (*Employment of Women, Young Persons, and Children.*)

66. An Act to amend the enactments relative to Compensation for Criminal Injuries in Ireland. (*Criminal Injuries (Ireland).*)

67. An Act to provide for the better Government of Ireland. (*Government of Ireland.*)

68. An Act to amend section one hundred and eleven of the Children's Act with respect to the constitution of Juvenile Courts in the Metropolitan Police Court District. (*Juvenile Courts (Metropolis).*)

69. An Act to amend the Law relating to the appointment of a Registrar-General of Births, Deaths, and Marriages in Scotland. (*Registrar General (Scotland).*)

70. An Act to control the exportation of gold and silver coin and bullion, and to prohibit the melting or improper use of gold and silver coin. (*Gold and Silver (Export Control, &c.).*)

71. An Act to amend the Law relating to Housing in Scotland, and for purposes in connexion therewith. (*Housing (Scotland).*)

72. An Act to make provision for the collection and application of the excise duties on mechanically-propelled vehicles and on carriages; to amend the Finance Act, 1920, as respects such duties; and to amend the Motor Car Acts, 1896 and 1903, and the Development and Road Improvement Funds Act, 1909; and to make other provision with respect to roads and vehicles used on roads, and for purposes connected therewith. (*Roads.*)

73. An Act to continue certain Expiring Laws. (*Expiring Laws Continuance.*)

74. An Act to enable the Board of Trade to guarantee part of the expenses of a British Empire Exhibition. (*British Empire Exhibition (Guarantee).*)

75. An Act to amend the Official Secrets Act, 1911. (*Official Secrets.*)

76. An Act to amend the Corn Production Act, 1917, and the Enactments relating to Agricultural Holdings. (*Agriculture.*)

77. An Act to regulate the importation of dyestuffs. (*Dyestuffs (Import Regulation).*)

78. An Act to make provision for removing certain difficulties with respect to the summoning of Juries in certain cities, boroughs and towns in England, and for removing doubts as to the validity of certain verdicts. (*Juries (Emergency Provisions).*)

79. An Act to amend the Defence of the Realm (Acquisition of Land) Act, 1916, and to continue certain byelaws. (*Defence of the Realm (Acquisition of Land).*)

80. An Act to enable effect to be given to a Convention for regulating Air Navigation, and to make further provision for the control and regulation of aviation. (*Air Navigation.*)

81. An Act to amend the Law with respect to the administration of justice and with respect to the constitution of the Supreme Court, to facilitate the reciprocal enforcement of judgments and awards in the United Kingdom and other parts of His Majesty's Dominions or Territories under His Majesty's protection, and to regulate the fees chargeable by, and on the registration of, Commissioners for Oaths. (*Administration of Justice.*)

82. An Act to amend section forty-four of the Unemployment Insurance Act, 1920. (*Unemployment Insurance (Temporary Provisions Amendment).*)

THE

PUBLIC GENERAL STATUTES.

[10 GEO. 5.]

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and twenty and one thousand nine hundred and twenty-one. [26th March 1920.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Issue of 28,727,126*l.* out of the Consolidated Fund for the service of the year ended 31st March 1920.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty, the sum of twenty-eight million seven hundred and twenty-seven thousand one hundred and twenty-six pounds.

Issue of 353,984,850*l.* out of the Consolidated Fund for the service of the year ending 31st March 1921.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-one, the sum of three hundred and fifty-three million nine hundred and eighty-four thousand eight hundred and fifty pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the

whole three hundred and eighty-two million seven hundred and eleven thousand nine hundred and seventy-six pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1920.

CHAPTER 2.

An Act to amend section six hundred and fifty-nine of the Merchant Shipping Act, 1894.

[26th March 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of s. 659 of 57 & 58 Vict. c. 60.

1. The power of His Majesty, under section six hundred and fifty-nine of the Merchant Shipping Act, 1894, as amended by subsequent enactments, by Order in Council to fix the annual or other sums to be paid out of the General Lighthouse Fund in respect of the establishment of the general lighthouse authorities, shall extend to fixing the annual or other sums to be paid out of that fund to members of the general lighthouse authority for England and Wales, and the sums so fixed shall have effect notwithstanding anything in any Act limiting the amount thereof.

Short title.

2. This Act may be cited as the Merchant Shipping (Amendment) Act, 1920, and shall be included amongst the Acts which may be cited together as the Merchant Shipping Acts, 1894 to 1920.

CHAPTER 3.

An Act to amend the Law in respect of the Standard Fineness of Silver Coins current in the United Kingdom and in other parts of His Majesty's Dominions. [31st March 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Alteration of standard fineness of silver coins. 33 & 34 Vict. c. 10. 54 & 55 Vict. c. 72.

1.—(1) The First Schedule to the Coinage Act, 1870, as amended by section two of the Coinage Act, 1891, shall, as regards coins made after the commencement of this Act, have effect as though for the words "thirty-seven-fortieths fine silver, three-fortieths alloy; or millesimal fineness 925," in the column relating to standard fineness there were substituted the words "one-half fine silver, one-half alloy; or millesimal fineness 500," and as though for the figure "4" in the column relating to the remedy allowance in respect of millesimal fineness there were substituted the figure "5."

(2) Where by virtue of a proclamation made under section eleven of the Coinage Act, 1870, the whole or any part of that Act is in force in any British possession at the date of the commencement of this Act, that Act shall as from that date apply in that possession as amended by this Act, and any Order in Council or proclamation directing that any coins which under the Coinage Acts, 1870 and 1891, are legal tender in the United Kingdom shall be current and legal tender in any British possession shall extend to coins which are legal tender in the United Kingdom under those Acts as amended by this Act :

Provided that the provisions of this subsection shall not apply as respects any self-governing dominion unless and until those provisions are adopted as regards the dominion by a proclamation of the governor-general or governor

Amendment of law with respect to standard trial plates of silver.

2. The standard trial plates of silver to be used for the purpose of the trial of the pyx shall, instead of being made of a standard fineness in conformity with the provisions of the Coinage Acts, 1870 and 1891, be made of pure silver.

Short title and construction.

3.—(1) This Act may be cited as the Coinage Act, 1920, and shall be construed as one with the Coinage Acts, 1870 to 1891, and those Acts and this Act may be cited together as the Coinage Acts, 1870 to 1920.

(2) In this Act the expression "self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

CHAPTER 4.

An Act to make temporary provision on account of the emergency arising from the war as to the profits and control of, wages in, and advances in respect of, colliery undertakings, and for purposes connected therewith.

[31st March 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Distribution of profits of undertakings.

1.—(1) In view of the emergency resulting from the exigencies of the war, the profits of the undertakings to which this Act applies (hereinafter referred to as undertakings), arising during the period of the operation of this Act, shall be aggregated, and, after such deduction and addition as are hereinafter mentioned, shall be distributed amongst the several undertakings in manner provided by the First Schedule to this Act:

Provided that—

(i) if the amount of the aggregated profits of all the undertakings, after such deduction and addition, exceeds the aggregate of the total standards of all the undertakings, such part only of that amount as is equal to that aggregate, plus one-tenth part of such excess, shall be so distributable;

(ii) if the amount of the aggregated profits of all the undertakings, after such deduction and addition, is less than a sum equal to nine-tenths of the aggregate of the total standards of all the undertakings, the sum distributable shall be increased by an amount equal to such deficiency, if and so far as such deficiency appears to the Controller, or on appeal is proved to the satisfaction of the Board of Referees appointed under the Finance (No. 2) Act, 1915, to have been caused by any order, regulation, or direction issued by the Controller or by the Board of Trade after the first day of January nineteen hundred and twenty.

5 & 6 Geo. 5. c. 89.

(2) In determining the sum distributable, the following deduction and addition shall be made from and to the aggregated profits:—

(*a*) There shall be deducted from the aggregated profits any sum paid by the Board of Trade or the Controller under the Coal Mines (War Wage Payment) Directions and Supplementary Directions, 1918 and 1919, in respect of the period of the operation of this Act:

(*b*) There shall be added to the aggregated profits any sums collected by the Board of Trade or the Controller under the said directions in respect of the said period.

(3) For the purposes of this Act, "total standards" in relation to any undertaking means the sum of all the standards attributable to the accounting periods or parts of accounting periods falling within the period of the operation of this Act, and "accounting period" means an accounting period under the provisions of the Finance (No. 2) Act, 1915, relating to excess profits duty as amended or explained by any subsequent enactment (which provisions are hereinafter referred to as the Finance Act).

(4) The provisions of this Act shall be taken to be in full satisfaction of all claims for compensation arising in the period of the operation of this Act in respect of the orders of the Board of Trade made under Regulation 9G of the Defence of the Realm Regulations dated the twenty-ninth day of November nineteen hundred and sixteen and the twenty-second day of February nineteen hundred and seventeen, or anything done thereunder.

Provisions for effecting distribution of profits.

2.—(1) For effecting the purposes aforesaid, the following provisions shall have effect:—

(*a*) If the profits of an undertaking for any accounting period or part of an accounting period falling within the period of the operation of this Act—

(i) exceed the standard, the excess shall be assessed on and collected from the owner of the undertaking in manner hereinafter provided, and the amount so payable by the owner is hereinafter referred to as coal levy;

(ii) are less than the standard, or, if there is a loss, such amount as may be required to make up the profit or loss to the amount of the standard shall be paid to the owner of the undertaking by the Controller, and the sum so payable by the Controller is hereinafter referred to as coal award:

(*b*) If the profits of an undertaking arising during the period of the operation of this Act, after taking into account any coal levy paid or coal award received in respect of the undertaking—

(i) exceed the sum apportioned to that undertaking in manner provided in the First Schedule to this Act, the excess shall be payable to the Controller by the owner of the undertaking and shall be recoverable as a debt due to the Crown, and the amount so payable is in this Act referred to as adjustment levy;

(ii) are less than the sum so apportioned, such amount as is required to make good the deficiency shall be paid to the owner of the undertaking by the Controller, and any sum so payable is in this Act referred to as adjustment award.

(2) Coal levy shall be assessed and collected by the Commissioners of Inland Revenue, in like manner as excess profits duty is assessed and collected, and the provisions (including the provisions as to appeals and deposits) of the Finance Act, shall apply accordingly, and the provisions of that Act as to appeals shall apply to amounts of profits and standards, notwithstanding that there may be no liability to excess profits duty or coal levy.

(3) Where under an assessment made before the passing of this Act any sums have been or are paid as excess profits duty, and the sums so paid are, owing to the operation of this Act, in excess of the liability to such duty without taking into account any adjustment levy or adjustment award which may become payable under this Act, the excess shall, pending the final ascertainment of the liability to excess profits duty, be treated as a payment on account of coal levy payable in respect of the accounting period to which the assessment relates, and any sum deposited for the purpose of satisfying excess profits duty or coal mines excess payments shall, if and in so far as such sum has not been applied in payment of excess profits duty or coal mines excess payments, be regarded as deposited for the purpose of satisfying coal levy except to the extent to which such balance of the sum so deposited exceeds the liability to coal levy.

Definition of profits and standards.

3.—(1) For the purposes of this Act, in relation to any undertaking—

(*a*) The profits shall be the amount of the profits of the trade or business as determined or determinable under the Finance Act after any adjustment for increased or decreased capital prescribed in section forty-one of that Act :

Provided that no deduction for coal levy or addition for coal award shall be made in determining the profits to be aggregated under this Act; but for all other purposes any sum paid as coal levy or adjustment levy, or received as coal award or adjustment award, shall be treated respectively as an expense or profit, as the case may be, of the trade or business for the period or part thereof falling within the period of the operation of this Act in respect of which the sum is paid or received; and, in the case of adjustment levy or adjustment award, the sum shall be regarded as having accrued equally over the whole period of the operation of this Act, or the part thereof during which this Act applies to the undertaking :

(*b*) The standard shall be an amount equal to the pre-war standard of profits determined or determinable in accordance with the provisions of the Finance Act: Provided that—

(i) in any case where the standard does not exceed one thousand pounds, there shall be added to the standard five hundred pounds, or, where an undertaking is owned by a firm or by a company or other body corporate which has been treated as a firm for the purposes of the Finance Act, there shall be added to the standard in respect of each partner or director, as the case may be, whose remuneration is included in the profits, for any accounting period or part thereof falling within the period of the operation of this Act three hundred pounds or the remuneration so included, whichever may be the smaller, so however that the standard shall not be increased by such addition to an amount exceeding two thousand pounds;

(ii) in any case where the standard exceeds one thousand pounds the foregoing proviso shall apply, subject to this qualification, that the total amount of the addition under that proviso shall be reduced by the amount by which the standard exceeds one thousand pounds;

(iii) if the standard is a standard for a period of less than a year, the sums mentioned in the foregoing provisoes shall be proportionately reduced.

(2) Where part only of an accounting period falls within the period of the operation of this Act, the profits of that accounting period shall be apportioned in accordance with the number of months or fractions of months which fall within that period, and the standard in relation to that part of the accounting period shall be proportionately reduced, and the profits of an undertaking arising during the period of the operation of this Act shall be the sum of the profits of the accounting periods or period falling wholly within that period and of the proportion so ascertained as aforesaid of the profits of accounting periods or period falling partly within the period of the operation of this Act.

(3) Where an undertaking forms part only of a trade or business, the profits and standard of the undertaking shall, for the purposes of this Act, be respectively so much of the profits and standard of the trade or business determined as aforesaid as appears to the Commissioners of Inland Revenue to be properly attributable to the undertaking.

Prohibition against parting with

4.—(1) No assets employed in any undertaking shall be removed or disposed of without the consent of the Controller, except in the ordinary course of business.

assets, paying dividends, &c.

(2) No profits shall be distributed or withdrawn in respect of any undertaking and no loans, whether secured or unsecured, shall be raised, repaid or varied as to any of their conditions without the consent of the Controller:

Provided that this provision shall not deprive any person of any right to require the repayment of money owing to him.

Provision as to wages.

5.—(1) The extra wages which have, as from the ninth day of January nineteen hundred and nineteen, been paid by owners of undertakings to colliery workers employed in or at pit-heads of coal mines, that is to say:—

(*a*) in the case of persons of the age of sixteen or upwards, two shillings; and

(*b*) in the case of persons below that age, one shilling,

per shift or day worked, or regarded as having been worked for the purposes of calculating their ordinary wages, shall continue to be paid; and if and so far as such extra wages have been or are paid in respect of any period since the thirty-first day of March nineteen hundred and nineteen shall be charged as expenses in determining the profits of the undertaking.

(2) Where the Controller has advanced any sums to the owner of an undertaking to meet such increase in wages as aforesaid, the owner shall account to the Controller for the amount advanced, and the advance shall, if and so far as it exceeds the amount of such extra wages as aforesaid which have been paid by the owner to colliery workers in respect of the period ended on the thirty-first day of March nineteen hundred and nineteen, be repaid by the owner to the Controller, and the sums received by way of repayment shall be paid into the Exchequer.

(3) The decision of the Controller as to the classes of colliery workers who are entitled to the increased wage under this section shall be final.

Power to make advances.

6. Where the Controller considers that, for the purpose of enabling the output of a coal mine to be maintained, or for any other purpose, it is necessary or expedient so to do, he may, out of sums standing to the credit of the account established under this Act, on the application of the owner, make advances to the owner of an undertaking upon such terms and conditions as the Controller may think fit, with the assent of the Treasury, and any such advance shall be a first charge upon the assets of the undertaking in priority to any mortgage or other charge thereon, and shall be recoverable as a debt due to the Crown, and any sums received by way of repayment or interest shall be paid into the account established under this Act.

Accounts and audit.

7.—(1) Sums collected by the Commissioners of Inland Revenue under this Act shall be paid into such account as the Controller may direct, and there shall, except as otherwise expressly provided, be paid into and out of that account any sums received or payable by the Controller under this Act.

(2) There shall also be credited or debited to the said account any sum finally standing to the credit or debit of the account of the Controller's receipts and payments under the Coal Mines (War Wage Payment) Directions and Supplementary Directions, 1918 to 1919, in respect of the period from the thirtieth day of June nineteen hundred and eighteen to the thirty-first day of March nineteen hundred and nineteen.

(3) There shall also be debited to the said account such amount as may be necessary to meet the administrative expenses of the Board of Trade constituted for the purpose of the control of the coal industry incurred during the period of the operation of this Act, and any payment made by the Controller with the consent of the Treasury as a consequence of action taken during that period in respect of the coal industry under Regulation 2JJ of the Defence of the Realm Regulations.

(4) Payments into and out of the said account shall be made, and all other matters relating to the administration of that account and to the money standing to the credit of the account shall be regulated in such manner as the Treasury may direct.

(5) If at any time the sums standing to the credit of the account are insufficient to meet the payments to be made thereout, the Treasury may, out of moneys provided by Parliament, pay into the account such sums as may be required for the purpose, but any sums so paid shall be treated as temporary advances and shall be repaid to the Exchequer with interest as soon as there are funds in the account available for the purpose.

(6) At the end of every financial year accounts of the payments into and the expenditure defrayed out of the said account shall be made up in such form and with such particulars as may be directed by the Treasury, and shall be audited by the Comptroller and Auditor-General, and shall be laid before Parliament with a report thereon.

Offences.

8.—(1) If any person contravenes or fails to comply with any of the provisions of this Act or of any orders or directions given by the Board of Trade or the Controller thereunder, or where any such order or direction is given subject to any condition fails to comply with that condition, he shall be guilty of an offence against this Act.

(2) A person guilty of an offence against this Act shall, on summary conviction, be liable to a fine not exceeding one hundred pounds, and in the case of a continuing offence to a further fine of ten pounds for each day during which the offence continues.

(3) Where any such offence as aforesaid is committed by a company, every director and manager of the company who knowingly authorises or permits the default, shall be liable to the same penalties as the company.

Termination of coal mines control agreement. 7 & 8 Geo. 5. c. 56.

9. Subject to the provisions of Part I. of the Second Schedule to this Act the agreement confirmed by the Coal Mines Control Agreement (Confirmation) Act, 1918, shall cease to have effect, and shall be deemed to have ceased to have had effect as from the first day of April nineteen hundred and nineteen, and that Act shall be repealed as from the same date :

Provided that the provisions of the said agreement relating to the closing of mines, information and accounts, apportionments, and secrecy, as set out and modified in Part II. of the Second Schedule to this Act shall have effect as if enacted in this Act.

Interpretation.

10.—(1) This Act shall apply to all concerns in Great Britain which consist of or comprise coal mines, and where a coal mine forms part only of such a concern this Act shall apply to the whole concern except such parts thereof as may, immediately before the passing of this Act, be excluded from the operation of the Coal Mines Control Agreement (Confirmation) Act, 1918, and the expression " undertaking " in this Act means any such concern except any part so excluded :

Provided that the Controller may exclude from the operation of this Act any undertaking the whole output of coal from which is not likely to exceed five thousand tons in the year ending on the thirty-first day of March nineteen hundred and twenty.

(2) In this Act the expression " Controller " means the person for the time being appointed by the Board of Trade to exercise on behalf of the Board the powers of taking possession of coal mines and giving directions as to the management or user thereof under the Defence of the Realm Regulations, and in the event of there being no such person appointed, shall mean the Board of Trade.

Short title and duration.

11.—(1) This Act may be cited as the Coal Mines (Emergency) Act, 1920.

(2) This Act shall be deemed to have had effect as from the first day of April nineteen hundred and nineteen and shall continue in force until the thirty-first day of August nineteen hundred and twenty (which period is in this Act referred to as the period of the operation of this Act) : Provided that this limitation on the duration of this Act shall not affect the operation of sections seven to ten thereof, and that the expiry of this Act shall not—

(*a*) affect the previous operation thereof or of anything duly done or suffered thereunder ; or

(*b*) affect any right, privilege, exemption, obligation, or liability acquired, accrued, or incurred thereunder (including the assessment and collection of coal levy) ; or

(*c*) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against this Act ; or

(*d*) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed as if this Act had not expired.

SCHEDULES.

Sections 1 and 2.

FIRST SCHEDULE.

APPORTIONMENT OF DISTRIBUTABLE SUM AMONGST UNDERTAKINGS.

1. If the sum distributable does not exceed the aggregate of the total standards of all the undertakings, that sum shall be apportioned amongst the several undertakings in accordance with the proportion which the total standards of each undertaking bears to the aggregate of the total standards of all the undertakings.

2. If the sum distributable exceeds the aggregate of the total standards of all the undertakings—

(*a*) such part thereof as is equal to that aggregate shall be apportioned in manner provided by paragraph 1;

(*b*) the balance shall be apportioned in manner provided by paragraph 3.

3.—(*a*) One-half of the balance shall be apportioned amongst the several undertakings in accordance with the proportion which the output as hereinafter defined of each undertaking bears to the aggregate output of all the undertakings.

(*b*) One-half of the balance shall be apportioned amongst those undertakings the profits of which, as determined for the purposes of aggregation under this Act but with the addition (for this purpose only) of ten shillings in respect of every ton of coal sold during the period of the continuance of this Act for household and domestic purposes or for the manufacture of gas or electricity for household and domestic purposes, at the price prescribed by the Coal (Pit's Mouth) Prices Order and Direction, 1919, exceed the respective total standards thereof in accordance with the proportion which the excess in respect of each undertaking bears to the total of such excesses.

4. The decision of the Controller as to the amount distributable and the apportionment thereof shall, except as otherwise expressly provided, be final.

5. In this Schedule "output" means the tonnage of coal raised and weighed at the pithead during the period of the operation of this Act.

Section 9

SECOND SCHEDULE.

PART I.

PROVISIONS SUBJECT TO WHICH COAL MINES CONTROL AGREEMENT TO BE DETERMINED.

1. The determination of the agreement confirmed by the Coal Mines Control Agreement (Confirmation) Act, 1918, shall not affect any right or liability which may have accrued before the date of the determination thereof.

2. Any sums payable under the said agreement after the passing of this Act shall, subject to paragraphs 3 and 4, be paid into or out of the account established under the Coal Mines Control Agreement (Confirmation) Act, 1918, which shall continue to be kept until all the sums so payable have been paid.

3. Any sums collected as coal mines excess payments under the said agreement in respect of any accounting period ended after the thirty-first day of March nineteen hundred and nineteen shall be regarded as payments on account of coal levy except to the extent to which such coal mines excess payments relate to the profits apportioned for the period up to and including the thirty-first day of March nineteen hundred and nineteen, in accordance with the number of months or fractions of months falling outside the period of the operation of this Act.

4. Any sum paid by the Controller under clause four of the said agreement in respect of any accounting period ended after the thirty-first day of March nineteen hundred and nineteen shall be regarded as a payment on account of coal award or adjustment award except to the extent to which such payment relates to the profits apportioned up to and including the thirty-first day of March nineteen hundred and nineteen, in accordance with the number of months or fractions of months falling outside the period of the operation of this Act; and if no coal award or adjustment award is due in respect of such period or the amount so paid exceeds the coal award or adjustment award, such payment or excess or the part thereof which is attributable to such period, shall be repaid to the Controller and shall be recoverable as a debt due to the Crown.

PART II.

PROVISIONS OF THE COAL MINES CONTROL AGREEMENT RE-ENACTED WITH MODIFICATIONS.

1.—(1) If the owner of an undertaking intends to close or abandon the whole or any part thereof, he shall give to the Controller not less than sixty days' notice of his intention, and, if before the expiration of the notice, the Controller directs that the undertaking or such part

thereof shall not be closed or abandoned, the undertaking shall continue to be carried on in accordance with the directions of the Controller.

(2) If no such directions as aforesaid are given by the Controller, the undertaking or such part thereof as aforesaid shall, unless otherwise agreed between the Controller and the owner, be closed or abandoned at the expiration of the notice or at the earliest date at which the owner has power to close or abandon it under the conditions of his tenure.

2.—(1) The owner of every undertaking shall keep and furnish to the Controller at such times and in such form as the Controller may determine such cost accounts, trading accounts, and balance sheets and other accounts and records as the Controller may require, audited and verified in such manner as he may direct, and, where an undertaking forms part only of a trade or business, entirely separate accounts of the undertaking shall be kept, and the price charged on departmental transactions between the undertaking and any other portion of the trade or business shall be on a commercial basis, and such as may from time to time be fixed by the Controller, whose decision shall be final; and, where coal has been or is sold or delivered from an undertaking to a concern in which any owner, partner, or person engaged in the management or direction of the undertaking is directly or indirectly interested, the price to be brought into the accounts of the undertaking in respect of that coal shall be such as may from time to time be fixed by the Controller having regard to market price, and the decision of the Controller shall be final.

(2) The Controller or any person appointed by him in that behalf may require the owner of any undertaking, and any director, manager, or officer of the undertaking to furnish any information which may be reasonably required by the Controller for the purposes of this Act, and may inspect and take copies of any books, plans, records, and documents relating to the undertaking, and every such owner, director, manager, and officer shall furnish to the Controller or any person appointed by him all such information as aforesaid, and shall produce all such books, plans, records, and documents as may be in his possession or under his control, and shall afford to such person all reasonable facilities for inspecting the same.

(3) If any person knowingly gives any information which is false in any material particular, he shall be guilty of an offence against this Act.

3. The Commissioners of Inland Revenue may make available to the Controller any information acquired by them for the purposes of income tax or excess profits duty or otherwise which the Controller may desire for the purposes of this Act:

4.—(1) Subject to the provisions of the Coal Industry Commission Act, 1919, any information obtained under the last two preceding paragraphs shall be treated as confidential, and shall be used only for the purposes of His Majesty's Government or any department thereof, and no person who obtains any such information shall disclose or make use of any such information for any other purpose:

Provided that the Controller shall publish as soon as may be in respect of the three months ended on the thirty-first day of March nineteen hundred and twenty, and each succeeding three months, statistical summaries of output and of the costs of production, proceeds,

and profits of the coal-mining industry as a whole, and for the various districts, notwithstanding anything in this schedule or that such summaries may be compiled from information obtained under paragraph 2 thereof.

(2) Any person who may obtain any information which by virtue of this section is to be treated as confidential shall be required to make a declaration of secrecy in such form as may be prescribed by the Board of Trade, and, subject as aforesaid, any person who has made such a declaration shall, for the purposes of section eighty-nine of the Income Tax Act, 1918, and the declarations made thereunder, be treated in relation to the disclosure of information under the last preceding paragraph of this Act as if he was a person sworn to the due execution of the said Act.

5. Where an undertaking is subject to the Coal Mines Control Agreement (Confirmation) Act, 1918, during part only of an accounting period, the profits standard or the special standard, as the case may require, and the guaranteed standard, and any other sums brought into account in calculating the sums retainable under clause 3 or payable under clause 4 of the said agreement, shall, for the purposes of applying that agreement to such part of such accounting period, be proportionately reduced, and the profits for that period shall be apportioned between the parts of the period before and after the date of the termination of the said agreement in proportion to the number of months or fractions of months in those parts, respectively.

CHAPTER 5.

An Act to continue temporarily certain emergency enactments and regulations, and to make provision with respect to the expiration or revocation of emergency enactments and instruments made thereunder.

[31st March 1920.

WHEREAS the enactments mentioned in the first column of the First Schedule to this Act are subject to the limitations mentioned in the second column of that schedule, and it is expedient that they should be extended in the manner hereinafter appearing:

And whereas the Defence of the Realm Regulations will expire at the termination of the present war, and it is expedient that certain of those regulations should continue in force thereafter:

And whereas it is expedient to make provision as to the effect of the expiry of enactments and other instruments which will expire on, or on the expiration of an interval after, the termination of the present war:

Now, therefore, be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of certain emergency Acts.

1. The limitations on the continuance or operation of the enactments mentioned in the first column of the First Schedule in this Act shall be modified in the manner and to the extent specified in the third column of that schedule.

Continuance of certain Defence of the Realm Regulations

2.—(1) The Defence of the Realm Regulations mentioned in the first column of the Second Schedule to this Act shall, subject to the limitations, qualifications and modifications specified in the third column of that schedule, continue in force until the thirty-first day of August nineteen hundred and twenty, and as so continued shall have effect as if enacted in this Act:

Provided that it shall be lawful for His Majesty in Council to revoke in whole or in part any of the regulations so continued as soon as it appears to him that consistently with the national interest any such regulation can be so revoked:

Provided also that no such regulation as so continued shall have greater validity than it had before the time when but for this Act it would have expired.

(2) If after the termination of the present war any person is guilty of an offence under any regulation made under the Defence of the Realm Consolidation Act, 1914, for the time being in force, he shall be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and the court may in any case order that any goods or money in respect of which the offence has been committed be forfeited:

5 & 6 Geo. 5. c. 8.

Provided that—

(*a*) a prosecution for any such offence shall not in England and Ireland be instituted except by or with the consent of the Attorney-General for England or Ireland, as the case may be, or by an officer of the police, or by a person acting in each case under a special authority from the Government department concerned; and

(*b*) in Ireland the court of summary jurisdiction, when hearing and determining an information or complaint in respect of any such offence, shall, in the Dublin metropolitan police district, be constituted of one of the divisional justices of that district, and elsewhere be constituted of a resident magistrate sitting with one or more other resident magistrates, and the court of quarter sessions when hearing and determining an appeal against a conviction of a court of summary jurisdiction for any such offence shall be constituted of the recorder or county court judge sitting alone.

8 & 9 Geo. 5. c. 9.

(3) The Defence of the Realm (Food Profits) Act, 1918, shall continue in force so long as any order made by the Food Controller under the powers continued by this Act regulating the price of any goods continues in force.

5 & 6 Geo. 5. c. 34.

(4) If immediately before the passing of this Act a proclamation suspending the operation of section one of the Defence of the Realm (Amendment) Act, 1915, in respect of any area is in force, then, as respects that area, all the Defence of the Realm Regulations then in force shall, subject to the power of His Majesty in Council by order to revoke any of such regulations, continue in force until the expiration of twelve months after the termination of the present war, subject, as respects any regulations modified by the Second Schedule to this Act, to the modifications therein contained, save so far as those modifications limit the operation of the regulations, and those regulations as so continued shall have effect as if enacted in this Act; and in that area offences against the said regulations shall, notwithstanding anything hereinbefore contained, continue to be triable and punishable in like manner as if the Defence of the Realm Consolidation Act, 1914, and the Acts amending that Act continued in force, except that where any such offence is tried by a court of summary jurisdiction or, on appeal, by a court of quarter sessions, the court shall be constituted as hereinbefore provided:

Provided that no such regulation as so continued shall have greater validity than it had before the time when but for this Act it would have expired:

Provided that, if the said proclamation is revoked before the expiration of the said twelve months, this section shall, as from the date of the revocation, apply in respect of the area in question in like manner as it applies in respect of the rest of the United Kingdom.

Effect of expiration of emergency legislation.

3.—(1) Where any Act passed during the continuance of the present war or any order, regulation, or other instrument made thereunder expires at the termination of the present war or on the lapse of any time thereafter such expiry shall not—

(*a*) affect the previous operation of any enactment or instrument so expiring or anything duly done or suffered under any enactment or instrument so expiring; or

(*b*) affect any right, privilege, exemption, obligation or liability acquired, accrued, or incurred under any enactment or other instrument so expiring; or

(*c*) affect any penalty, forfeiture, or punishment incurred under any enactment or instrument so expiring; or

(*d*) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed as if the enactment or instrument had not expired, with this qualification as respects proceedings for offences under the Defence of the Realm Regulations, that anything required thereunder to be done by, to, or before the competent naval or military authority may be done by, to, or before such officer as the Admiralty or Army Council may appoint for the purpose.

(2) Where any such Act, order, regulation, or other instrument so expiring contains any provision making it an offence to disclose any information obtained in pursuance of the powers conferred by the Act, order, regulation, or instrument, or preserving any right which may be prejudiced by the communication of information required to be furnished thereunder, that provision shall notwithstanding such expiry continue in force.

Application to Isle of Man. 4 & 5 Geo. 5. c. 62.

4.—(1) Where any enactment or regulation continued by this Act has by Order in Council made under the Isle of Man (War Legislation) Act, 1914, been extended to the Isle of Man, the continuance effected by this Act shall apply to the enactment or regulation as so extended.

(2) For removing doubts, it is hereby declared that any Order in Council made under the said Act extending any enactment or regulation to the Isle of Man may be revoked by Order in Council.

Short title

5. This Act may be cited as the War Emergency Laws (Continuance) Act, 1920.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

Enactment.	Nature and Extent of Limitation.	Nature and Extent of Extension.
Patents, Designs and Trad Marks Temporary Rules) Act, 1914 (4 & 5 Geo. 5, c. 27).	Limited to the continuance of the present state of war in Europe and for a period of six months thereafter.	To continue, so far as it relates to the extension of the time within which acts or things may or are required to be done under the Patents and Designs Act, 1907, or the Trade Marks Act, 1905, until the tenth

Enactment.	Nature and Extent of Limitation.	Nature and Extent of Extension.
		day of January nineteen hundred and twenty-one as if in section three thereof for the words "during "the continuance of "the present state of "war in Europe and "for a period of six "months thereafter" there were substituted the words "until the "tenth day of January nineteen hundred "and twenty-one."
Special Constables Act, 1914 (4 & 5 Geo. 5. c. 61).	Limited to special constables appointed during the present war.	To extend to special constables appointed during a period of one year after the termination of the present war, as if in section 1 (1) after the words "during the "present war" there were inserted the words "or a period "of twelve months "after the termination "thereof."
The Courts Emergency Powers Act, 1914 (4 & 5 Geo. 5. c. 78), and the enactments to be read or construed as one with that Act, viz., the Courts Emergency Powers (Amendment) Act, 1916 (6 & 7 Geo. 5. c. 13), as amended by the Courts (Emergency Powers) Act, 1917, s. 8, the Courts Emergency Powers (No. 2) Act, 1916 (6 & 7 Geo. 5. c. 18).	Limited to the continuance of the present war and a period of six months thereafter.	To continue for a period of twelve months after the termination of the present war as if in s. 2 (4) for the words "six months" there were substituted the words "twelve months."
Local Authorities (Disqualification Relief) Act, 1914 (5 Geo. 5. c. 10).	Limited to the duration of the present war.	To continue for a period of twelve months after the termination of the present war as if in

Enactment.	Nature and Extent of Limitation.	Nature and Extent of Extension.
		section 1 after the words "during the present war" there were inserted the words "and "a period of twelve "months after the "termination thereof."
Execution of Trusts (War Facilities) Act, 1914 (5 Geo. 5. c. 13), as amended by the Execution of Trusts (War Facilities) (Amendment) Act, 1915 (5 & 6 Geo. 5. c. 70).	Limited to trustees engaged on war service as defined by the Act.	To extend to trustees engaged on war service as if at the end of the definition of war service in s. 1 (2) the following paragraph was added:— "(d) if during the period of twelve months after the termination of the present war he is engaged on service abroad as a member of the military, naval, or air forces of the Crown, or engaged on service in any work abroad of the British Red Cross Society or the Order of St. John, or any other body with similar objects."
Special Acts (Extension of Time) Act, 1915 (5 & 6 Geo. 5. c. 72).	Limited to applications made during the continuance of the present war or a period of six months thereafter.	To extend to applications made during twelve months after the termination of the war, as if in s. 2 (3) for the words "six months" there were substituted the words "twelve months."
Evidence (Amendment) Act, 1915 (5 & 6 Geo. 5. c. 94).	S. 1 limited to the continuance of the present war.	S. 1 to continue for a period of twelve months after the termination of the present war, as if after the words "dur- "ing the continuance "of the present war" there were inserted the words "and a period "of twelve months "after the termination "thereof."

Enactment.	Nature and Extent of Limitation.	Nature and Extent of Extension.
Courts (Emergency Powers) (Amendment) Act, 1916 (6 & 7 Geo. 5. c. 13) as amended by the Courts (Emergency Powers) Act, 1917, s. 8.	Limited to have effect in favour of officers and men of His Majesty's forces.	To extend and to be deemed always to have extended so as to have effect in favour of persons who having served as officers or men in any of His Majesty's forces during the present war, have ceased to be members of those forces for a period of six months after the date when they so ceased, but in no case beyond the expiration of twelve months after the termination of the present war.
Summer Time Act, 1916 (6 & 7 Geo. 5. c. 14).	Power of making Orders in Council exercisable only during the continuance of the present war.	Power of making Orders in Council to continue during a period of one year after the termination of the present war, as if in s. 1 (2) after the words "during "the continuance of the "present war" there were inserted the words "and a period of twelve "months after the ter- "mination thereof."
Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5. c. 25).	S. 3 limited to cases where non-fulfilment of a contract is due to compliance on the part of any person with any requirement, &c. made for the purposes of the present war.	To extend to cases where non-fulfilment of a contract is due to compliance on the part of any person with any regulation continued by this Act or with any requirement, order or restriction made, issued, given or imposed thereunder.
	S. 9 limited to contracts and agreements entered into during the present war.	To extend to contracts and agreements entered into during the period of twelve months after the termination of the present war as if in that section after the words "during the present war" there were inserted the words

Enactment.	Nature and Extent of Limitation.	Nature and Extent of Extension.
		" or a period of twelve " months after the " termination thereof " and as if the section extended to property requisitioned or taken under the regulations continued by this Act.
Local Government (Allotments and Land Cultivation) (Ireland) Act, 1917 (7 & 8 Geo. 5. c. 30).	Limited to the promotion of cultivation of land during the present war.	To extend to the cultivation of land during twelve months after the termination of the present war, as if in s. 1 (1) after the words " during " the continuance of the " present war " there were inserted the words " and a period of twelve " months after the ter- " mination thereof."

SECOND SCHEDULE.

Section 2.

REGULATIONS CONTINUED.

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
1	Ordinary avocations of life, &c., to be interfered with as little as possible.	
2 AB	Power to take possession of premises for purposes of the Ministry of Pensions or the Ministry of Labour.	So far as relates to the power of taking possession of land, including the buildings thereon, certified to be required for carrying into effect the Naval and Military War Pensions, &c. Act, 1915: Provided that such power shall not be exercised unless after due inquiry the Minister of Labour or the Minister of Pensions (as the case may be) is satisfied

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
2 AB—*cont.*		that the premises cannot otherwise be reasonably obtained, and has laid a report stating the circumstances of the case and particulars of the proposed exercise of the power before both Houses of Parliament, and if either House within the next twenty-one days on which that House has sat after the report has been laid before it passes a resolution against the exercise of the power proposed, no further action shall be taken thereon, but without prejudice to the making of any new proposal.
2 B	Power to requisition war material, stores, &c.	So far as relates to the powers of the Food Controller, and to flax.
2 BB	Power to vary terms of sub-contracts.	So far as relates to cases where certificates or orders have at the passing of this Act been issued.
2 C	Power to take possession of and fell trees.	So far as relates to timber of which possession has been taken at the passing of this Act.
2 E	Power to regulate dealings in war material, stores, &c.	So far as relates to the powers of the Food Controller, and to flax and clinical thermometers.
2 F to 2 J	Powers of the Food Controller.	
2 JJ	Power to regulate articles of commerce other than food.	So far as relates to coal (including anthracite and all other kinds of coal, coke, briquettes, and any other solid fuel of which coal or coke is a constituent), gas, and electricity.
2 JJJ	Power to regulate the transport of goods by road.	As if in subsection (1) the words "and thereby "furthering the successful "prosecution of the war "or otherwise securing the "defence of the realm" were omitted.

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
2 O	Keeping of pigs	Subsection (5), and, so far as relates to permissions granted and in force at the date of the passing of this Act, the remainder of the regulation.
5 A	Power to take over control and maintenance of highways.	So far as relates to highways which have been damaged by Government use before the passing of this Act, and as if for the words "for "the purpose of securing "the public safety and the "defence of the realm," there were substituted the words "in the national "interests."
6 A	Power to exempt factories and workshops from provisions of Act of 1901.	So far as relates to orders authorising, subject to the weekly limit of hours allowed by Act of 1901— (*a*) employment of women and young persons in shifts (not being night shifts) averaging not more than eight hours; (*b*) employment of women and young persons at special times in creameries and cheese-making works; (*c*) night employment of male young persons over 17 years of age in wire-drawing; (*d*) minor adjustments of times of starting and stopping work and of meal intervals.
7 B	Power to regulate traffic on railways.	Except paragraphs (*b*) to (*j*) of subsection (1) and as if the words "with a view to "the successful prosecution "of the war" were omitted.
8 DD	Power to issue motor drivers' licences to males between 16 and 17.	So far as relates to existing licences issued thereunder.
9 G	Power to control coal mines.	

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
9 GGG	Power to authorise the working of seams of coal in certain circumstances.	So far as relates to any seams with respect to which existing authorities have been issued.
9 H	Power to control canals	So far as relates to canals with respect to which existing orders have been issued, and as if the words "for "securing the public safety "and the defence of the "realm" were omitted therefrom.
10 B	Power to restrict hours in the evening during which business may be carried on.	
11 A	Power to restrict lighting with a view to increased supply of light and power for purpose of production.	So far as relates to lights used solely or mainly for the purposes of advertisement, and as if the words "necessary for the successful prosecution of the "war" were omitted.
12 D	Power to prohibit whistling and other noises.	
14 H	Restriction on the use of assumed names.	
15 C	Power to require particulars as to businesses.	So far as may be necessary in respect of any contract or requisition entered into or made during the war.
17	Suspension of restrictions on powers of making byelaws.	
18 A	Prohibition on communications with agents of foreign powers.	
21 A	Provisions for the protection of homing pigeons.	Except paragraph (*c*).
30 A	Restriction on dealings in war material.	
30 E, 30 EE, 30 EEE.	Provisions as to coinage and bullion.	

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
30 F	Restrictions on new capital issues.	Except subsections (1), (2), (3), and (5) and paragraph (*b*) of subsection (4).
31	Restriction on import and removal of arms, ammunition, and explosives.	
33	Restriction on possession of explosives and highly inflammable liquids.	
34	Provisions as to the storage of petroleum and other highly-inflammable liquids.	
35 A	Power to make rules for securing the safety of factories, &c.	So far as relates to factories in which dangerous operations in connection with the breaking up of ammunition are carried on.
37 B	Duty of providing wireless telegraph apparatus on ships.	
39 BBB	Powers of shipping controller.	
39 C	Regulation of traffic at ports.	As if the words "whereby "the successful prosecution "of the war may be en- "dangered" were omitted therefrom.
39 CC	Restrictions on power to purchase ships.	
39 DD, 39 FF.	Powers of Shipping Controller.	
39 G	Provisions as to registry of British ships.	
40 B	Restriction on the supply, preparation and use of cocaine and opium.	
40 BB	Purchase and distribution of drugs designed for the treatment of venereal disease.	As if the words "during the continuance of the war" were omitted therefrom.
41	Unauthorised use of uniform, badges, &c.	

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
42 A	Provisions against persons inducing members of the forces to contravene the King's Regulations, &c.	
43 A	Obstruction of members of the forces in the execution of their duties.	
45	Forgery, personation, and other fraudulent offences.	
45 F	Provisions for securing discipline of the allied forces in the United Kingdom.	
47, 48, and 48 A.	General provisions as to offences.	So far as relates to offences against regulations continued by this Act.
51	Powers of search	As if, as respects Great Britain, for that regulation the following regulation were substituted :— If a justice of the peace, including in Scotland the sheriff, is satisfied on information on oath that there is reasonable ground for suspecting that an offence against these regulations has been or is about to be committed, he may grant a search warrant authorising any constable named in the warrant to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and to seize anything found therein which is evidence of an offence against these regulations having been or being about to be committed or with regard to or in connection with which he has reasonable ground for suspecting that an offence against these regulations has been or is about to be committed. Where the alleged offence is an offence under Regulation 18A and it appears to a superintendent of police or any person upon whom

Number of Regulation.	Subject Matter.	Limitations, Qualifications, and Modifications subject to which Extension is made.
51—*cont.*		the powers of a superintendent of police are for the purposes of this regulation conferred by a Secretary of State, or in Scotland by the Secretary for Scotland, that the case is one of great emergency, and that in the interest of the State immediate action is necessary, he may, by a written order under his hand, give to any constable the like authority as may be given by the warrant of a justice under this regulation.
55	Powers of arrest	As if, as respects Great Britain, for that regulation, the following regulation was substituted :— Any person who is found committing an offence, or who is reasonably suspected of having committed or being about to commit an offence under Regulation 18A, may be arrested without warrant by a constable or by a person authorised for the purpose by a Secretary of State, or in Scotland by the Secretary for Scotland.
55 B	Power to provide for co-operation of fire brigades.	Except so far as relates to air raids.
59	Saving of powers.	
60	Publication of orders, &c.	
61	Production of permits.	
62	Definitions - - -	As if for the words "acting in "naval or military co-operation" there were substituted the words "which "have acted in naval or "military co-operation."
63	Citation and construction.	
66	Effect of revocation.	

Note.—For the purposes of this Schedule, "existing" means existing and in force at the date of the passing of this Act.

CHAPTER 6.

An Act to carry into effect Treaties of Peace between His Majesty and certain other Powers.

[27th April 1920.]

WHEREAS, at St. Germain-en-Laye, on the tenth day of September, nineteen hundred and nineteen, a Treaty of Peace with Austria, including protocols and declarations annexed thereto, was signed on behalf of His Majesty:

And whereas at Neuilly-sur-Seine, on the twenty-seventh day of November, nineteen hundred and nineteen, a Treaty of Peace with Bulgaria, including a protocol annexed thereto, was signed on behalf of His Majesty:

And whereas copies of the said Treaties have been laid before each House of Parliament, and it is expedient that His Majesty should have power to do all such things as may be proper and expedient for giving effect to the said Treaties:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of His Majesty to give effect to Peace Treaties.

1.—(1) His Majesty may make such appointments, establish such offices, make such Orders in Council, and do such things as appear to him to be necessary for carrying out the said Treaties, and for giving effect to any of the provisions of the said Treaties.

(2) Any Order in Council made under this Act may provide for the imposition, by summary process or otherwise, of penalties in respect of breaches of the provisions thereof, and shall be laid before Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent Order in Council, and shall not be deemed to be a statutory rule within the meaning of section one of the Rules Publication Act, 1893:

56 & 57 Vict. c. 66.

Provided that, if an Address is presented to His Majesty by either House of Parliament within the next twenty-one days on which that House has sat after any Order in Council made under this Act has been laid before it praying that the Order or any part thereof may be annulled, His Majesty in Council may annul the Order or such part thereof, and it shall thence forth be void, but without prejudice to the validity of anything previously done thereunder.

(3) Any expenses incurred in carrying out the said Treaties shall be defrayed out of moneys provided by Parliament.

Short title.

2. This Act may be cited as the Treaties of Peace (Austria and Bulgaria) Act, 1920.

CHAPTER 7.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force, and to repeal certain provisions in section twelve of the Air Force (Constitution) Act, 1917.

[27th April 1920.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of land forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of five hundred and twenty-five thousand, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas under the Air Force (Constitution) Act, 1917, His Majesty is entitled to raise and maintain the air force, and it is judged necessary that the whole number of such force should consist of twenty-nine thousand seven hundred and thirty, including those employed as aforesaid, but exclusive of the numbers serving as aforesaid, and the provisions of the Air Force Act are due to expire at the same dates as the provisions of the Army Act: 7 & 8 Geo. 5. c. 51.

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law or to the Air Force Act, in their duty, that an exact discipline be observed, and that

persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military or air-force discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act and the Air Force Act will expire in the year one thousand nine hundred and twenty on the following days:—

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army and Air Force (Annual) Act, 1920.

Army Act and Air Force Act to be in force for specified times.

2.—(1) The Army Act and the Air Force Act shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament (that is to say):—

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and twenty to the thirtieth day of April one thousand nine hundred and twenty-one, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and twenty to the thirty-first day of July one thousand nine hundred and twenty-one, both inclusive.

(2) The Army Act and the Air Force Act, while in force, shall apply to persons subject to military law or to the Air Force Act, as the case may be, whether within or without His Majesty's dominions.

(3) A person subject to military law or to the Air Force Act shall not be exempted from the provisions of the Army Act or Air Force Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the numbers hereinbefore mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act or the Air Force Act the prices specified in the First Schedule to this Act.

AMENDMENTS OF THE ARMY AND AIR FORCE ACTS.

Part I.—Amendments of Army Act.

References to general officers to include colonels commandant.

4. The sections of the Army Act specified in the Second Schedule to this Act shall be amended in the manner shown in the second column of that schedule, with a view to including where necessary references to colonels commandant in references to general officers.

Abolition of regimental courts-martial.

5. Regimental courts-martial shall be abolished, and accordingly the provisions of the Army Act specified in the Third Schedule to this Act shall be omitted from the Army Act.

Amendment of s. 180.

6. At the end of paragraph (*e*) of subsection (2) of section one hundred and eighty of the Army Act (which relates to the powers of courts-martial in India), the following words shall be added :—

" and in addition, if the court or authority thinks fit, to be severely reprimanded or reprimanded ".

Part II.—Amendments of Air Force Act.

Amendment of s. 46A and s. 183.

7. At the end of subsection (1) of section forty-six A and of subsection (2) of section one hundred and eighty-three of the Air Force Act the following proviso shall be inserted :—

" Provided that, where the Air Council in special circumstances so direct, any powers which under this provision may be exercised by an officer of air rank may be exercised by a group captain ".

Amendment of s. 84.

8. In section eighty-four of the Air Force Act (which relates to the re-engagement of airmen) " twenty-four years " shall be substituted for " twenty-one years ".

Amendment of s. 85.

9.—(1) In section eighty-five of the Air Force Act (which relates to the continuance of service of airmen) " the total period " of service for which he has re-engaged under the last preceding " section of this Act " shall be substituted for " a total period of twenty-one years service ".

(2) In the case of an airman who has re-engaged before the commencement of this Act, section eighty-five of the Air Force Act shall take effect as if it had not been amended by this Act.

Amendment of s. 115.

10. Subsection (10) of section one hundred and fifteen of the Air Force Act (which relates to the sale and purchase of horses under a requisition of emergency) shall apply to aircraft as it applies to horses, and accordingly in that subsection after the word " horses " and after the word " horse," wherever those words occur, there shall be inserted the words " or aircraft ".

New designations for air-force officers.

11.—(1) The sections of the Air Force Act specified in the Fourth Schedule to this Act shall be amended in the manner shown in that schedule, in view of the new designations of officers of the air force.

(2) Any designation which in the said schedule is required to be substituted for any other designation shall be deemed to have been substituted for that designation in any Act, order, regulation or warrant passed or made before the passing of this Act and applicable to officers of the air force.

(3) The following subsection shall be substituted for subsection (46) of section one hundred and ninety of the Air Force Act :—

"(46) The expression 'air officer' means any officer above the rank of group captain."

Part III.—Amendments of Army Act applicable also to the Air Force Act.

Amendment of ss. 44 and 182.

12.—(1) Section forty-four of the Army Act (which relates to punishments) shall be amended as follows :—

(*a*) After paragraph (*m*) there shall be inserted the following new paragraph :—

"(*mm*) In the case of a non-commissioned officer, reprimand or severe reprimand";

(*b*) In proviso (3), after the words "an officer," there shall be inserted the words "or a non-commissioned officer".

(2) Section one hundred and eighty-two of the Army Act (which relates to warrant officers) shall be amended as follows :—

In paragraph (*a*) of subsection two, the words "be reprimanded or severely reprimanded, or to" shall be inserted after the words "by a district court-martial to".

Amendment of s. 48.

13. In subsection (3) of section forty-eight of the Army Act (which relates to the constitution of general courts-martial) the words "in the United Kingdom, India, Malta and Gibraltar, of not less than nine, and elsewhere" shall be omitted, and for the word "five" where it last occurs there shall be substituted the word "four"

Amendment of s. 54.

14. In subsection (3) of section fifty-four (which relates to a finding of acquittal by a court-martial) the words "if it relates to the whole of the offences" shall be omitted where they at present occur, and those words shall be inserted after the words "in open court, and".

Power to suspend sentences.

15.—(1) The following section shall be inserted after section fifty-seven of the Army Act :—

"57A.—(1) Where a soldier is sentenced to penal servitude, imprisonment or detention, the confirming authority to whom the sentence is submitted for confirmation may, when confirming the sentence, direct that the soldier be not committed to prison or detention barracks until the orders of a superior military authority have been obtained.

" (2) A superior military authority may in the case of any soldier so sentenced—

(*a*) direct that a committal to prison or detention barracks shall not be issued until his orders have been obtained;

(*b*) suspend the sentence whether or not the soldier has already been committed to prison or detention barracks.

" (3) Where a sentence of penal servitude, imprisonment or detention is suspended under this section before the soldier has been committed to prison or detention barracks, the soldier if in custody shall be released, and, notwithstanding anything in this Act, the sentence shall not begin to run until the soldier is ordered to be committed to prison or detention barracks under that sentence.

" (4) Where a sentence of penal servitude, imprisonment or detention is suspended under this section after the soldier has been committed to prison or detention barracks, he shall be discharged and the currency of the sentence shall be suspended from the day on which he is released until he is again ordered to be committed to prison or detention barracks under the same sentence.

" (5) Where a sentence has been suspended under this section, the case may at any time, and shall, at intervals of not more than three months, be reconsidered by a competent military authority, and, if on any such reconsideration it appears to the competent military authority that the conduct of the soldier since his conviction has been such as to justify a remission of the sentence, he shall remit it.

" (6) A superior military authority may, at any time whilst a sentence is suspended under this section, order that the soldier be committed to prison or detention barracks, and from the date of such order the sentence shall cease to be suspended.

" (7) Where a soldier whilst a sentence on him is so suspended is sentenced to penal servitude, imprisonment or detention for a fresh offence, a superior military authority may direct that the two sentences shall either run concurrently or consecutively, so, however, that the aggregate term of imprisonment or detention served under two or more sentences of imprisonment or detention shall not exceed two consecutive years; provided that, where the sentence for such fresh offence is a sentence of penal servitude, then, whether or not that sentence is suspended, any previous sentence of imprisonment or detention which has been suspended shall be avoided.

" (8) The powers conferred by this section shall be in addition to and not in derogation of any other powers as

to the mitigation, remission, commutation, or suspension of sentences conferred by this Act, and a superior military authority under this section shall be an authority having power to mitigate, remit, or commute sentences of penal servitude, imprisonment or detention under subsection (2) of section fifty-seven of this Act.

" (9) In this section—

The expression ' superior military authority ' means the Army Council and any general officer or colonel commandant whom the Army Council may appoint for the purpose, or the officer in chief command of any force employed on active service beyond the seas, and any general officer or colonel commandant whom he may appoint for that purpose;

The expression ' competent military authority ' means a superior military authority, or any general or other officer not below the rank of field officer duly authorised by a superior military authority."

(2) This section shall, notwithstanding anything in section fourteen of the Army (Annual) Act, 1904, come into operation, both in the British Islands and elsewhere, on the passing of this Act.

4 Edw. 7. c. 5.

Amendment of s. 70.

16. At the end of section seventy of the Army Act (which empowers His Majesty to make rules of procedure) there shall be added the following subsection :—

" (6) The rules as to the investigation of a charge may provide for a written summary of the evidence being taken on oath, and may empower a commanding officer or any officer, before whom he directs such summary to be taken, to administer oaths for that purpose ".

Amendment of s. 81.

17. In section eighty-one of the Army Act (which relates to the power of a recruit to purchase his discharge), " twenty pounds " shall be substituted for " ten pounds ".

Amendment of s. 104.

18. In subsection (1) of section one hundred and four of the Army Act (which relates to the premises liable to billets) the words " inns or hotels (whether licensed or otherwise) " shall be substituted for the words " inns, hotels ".

Amendment of s. 124.

19. Section one hundred and twenty-four of the Army Act (which relates to the right of a person tried by a court-martial to a copy of the proceedings) shall be amended as follows :—

(1) After the words " finding and sentence of the court " there shall be inserted the words " or after his acquittal ".

(2) The following proviso shall be added at the end of the section :—

" Provided that, when any person tried by court-martial dies within the above-mentioned periods of

seven or three years, his next-of kin shall, within a period of twelve months after his death, have the same right to obtain a copy of the proceedings."

Amendment of s. 125.

20. At the end of section one hundred and twenty-five of the Army Act (which relates to the summoning and privilege of witnesses at courts-martial) there shall be added the following subsection :—

"(3) For the purposes of this and the next succeeding section, the expression 'a court-martial' shall be deemed to include an officer taking a written summary of evidence in accordance with rules of procedure made under this Act; and references to the president or members of a court-martial shall be construed as including references to such officer."

Amendment of s. 138.

21. The following subsection shall be inserted after subsection (4) of section one hundred and thirty-eight of the Army Act (which relates to penal stoppages from ordinary pay of soldiers) :—

"(4A) The share he is required to contribute as belonging to a unit towards compensation for barrack damage which after due investigation to be held in the manner provided in the King's Regulations, appears to have been occasioned by the wilful act or negligence of a person or persons who cannot be identified, belonging to the unit, during the period while such unit was in occupation.

"For the purposes of this paragraph, the expression 'barrack damage' means damage to or loss or destruction of any premises in which soldiers are quartered or billeted or any appurtenances, fixtures, furniture or effects therein or appertaining thereto, and the expression 'unit' includes any part of a unit : "

Amendment of s. 145.

22.—(1) Subsection (2) of section one hundred and forty-five of the Army Act (which relates to the liability of a soldier to maintain his wife and children) shall be amended as follows :—

The words from "where the soldier is a Warrant Officer (Class I.)" to the end of the subsection inclusive shall be omitted, and the following words shall be inserted instead thereof :—

"where the soldier is a Warrant Officer (Class I.) not holding an honorary commission—in respect of a wife or children, four shillings, and in respect of a bastard child, three shillings;

"where the soldier is a Warrant Officer (Class II.) not holding an honorary commission, or a non-commissioned officer who is not below the rank of sergeant—in respect of a wife or children, two shillings and sixpence, and in respect of a bastard child, one shilling and sixpence;

"in the case of any other soldier—in respect of a wife or children, one shilling and sixpence, and in respect of a bastard child, one shilling."

(2) Where an order had, before the coming into operation of this section, been made under section one hundred and forty-five of the Army Act authorising deductions from pay, a further order may be made increasing the amount of the deduction to be made after the coming into operation of this section under the former order up to the limit authorised by this Act.

(3) This section shall, notwithstanding anything in section fourteen of the Army (Annual) Act, 1904, come into operation, both in the British Isles and elsewhere, on the passing of this Act.

4 Edw. 7. c. 5.

Penalty for interference with military duties, &c.

23. The following section shall be inserted after section one hundred and fifty-three of the Army Act:—

"153A. Any person who in the United Kingdom or elsewhere,

(*a*) wilfully obstructs, impedes, or otherwise interferes with any officer or soldier in the execution of his duties; or

(*b*) wilfully produces any disease or infirmity in, or maims or injures, any man whom he knows to be a soldier with a view to enabling such man to avoid military service; or

(*c*) with the intent of enabling a soldier to render himself, or induce the belief that he is, permanently or temporarily unfit for service, supplies to or for such soldier any drug or preparation calculated or likely to render him or lead to the belief that he is permanently or temporarily unfit for service;

shall be liable, on summary conviction, to a term of imprisonment for a term not exceeding six months or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine."

Amendment of s. 158.

24. At the end of subsection (1) of section one hundred and fifty-eight of the Army Act (which relates to liability to military law) the following words shall be added: "and the limitation "of time imposed by this proviso shall not apply in the case "of a person who has been attached to or seconded for service "with His Majesty's military forces and has ceased to be "subject to military law by reason only of the termination of "such attachment or seconding."

Application of Part III. to air force.

25. References in this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and this Part of this Act shall, in its application to the air force, have effect subject to any of the general modifications set out in Part I. of the Second Schedule of the Air Force

7 & 8 Geo. 5. c. 51.

(Constitution) Act, 1917, which apply, and also the following modifications :—

For references to—	there shall be substituted references to—
"general officer"	"general or air officer"
"general officer or colonel commandant"	"general or air officer"
"field officer"	"squadron leader"
"army services"	"air-force services"
"section fourteen of the Army (Annual) Act, 1904."	"this Act"
"His Majesty's military forces"	"the air force"
"military law"	"this Act"

REPEAL OF ENACTMENTS, &C.

Repeal. 7 & 8 Geo. 5. c. 51.

26. The provisions of section twelve of the Air Force (Constitution) Act, 1917, and the other enactments specified in the Fifth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule :

Provided that—

(*a*) nothing in the repeal of the provisions of section twelve of the Air Force (Constitution) Act, 1917, shall affect the application of those provisions to amendments of the Army Act made before the passing of this Act; and

(*b*) any sentence in force at the date of the commencement of this Act which has been suspended under the provisions of any enactment repealed by this Act shall be deemed to have been suspended under section fifty-seven A of the Army Act.

Date on which amendments to Air Force Act are to come into operation.

27. Amendments of the Air Force Act contained in this or any other Act continuing the Air Force Act shall come into operation in any place as from the date from which the Air Force Act is by this or such other Act continued in that place.

SCHEDULES.

FIRST SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Tenpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army and Air Force Acts.	Tenpence each.
Dinner as so specified	Two shillings.

Accommodation to be provided.	Maximum Price.
Supper as so specified	Sixpence.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Tenpence.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	Three shillings per day.
Stable room without forage	Sixpence per day.
Lodging and attendance for officer	Three shillings per night.

Note.—An officer shall pay for his food.

Section 4.

SECOND SCHEDULE.

AMENDMENTS RELATING TO COLONELS COMMANDANT.

Section.	How to be Amended.
ss. 43 and 46 (1)	After "general officer" there shall be inserted "or colonel commandant".
s. 46A (1)	After "general officer" where those words first occur there shall be inserted "or colonel commandant".
ss. 46A (5), 73 (3), 74 (1), 177, 183 (2), and 189 (2), (3) and (4).	After "general officer" there shall be inserted "or colonel commandant".

Section 5

THIRD SCHEDULE.

PROVISIONS TO BE OMITTED IN CONNECTION WITH THE ABOLITION OF REGIMENTAL COURTS-MARTIAL.

Section 47.

Section 54 (1) (*a*).

In section 182 (1) the words "nor tried by regimental court-martial."

In section 184 (1) the words "other than a regimental court-martial."

In section 184 (2) the words "or by a regimental court-martial."

FOURTH SCHEDULE.

Section 11

SUBSTITUTION OF NEW DESIGNATIONS.

The sections of the Air Force Act mentioned in the following table shall be amended by the substitution of the designations set out in the third column for those set out in the second column.

Section of Act.	Former Designation.	Present Designation to be substituted.
43	"captain" wherever that word occurs.	"flight lieutenant"
	"prescribed general officer"	"prescribed officer"
46 (1)	"field officer" - - -	"squadron leader"
	"a general officer" - -	"an air or general officer"
46A (1)	"field officer" - - -	"squadron leader"
	"general officer authorised"	"air officer authorised"
	"officer (not under the rank of major-general)"	"air-force officer of air rank"
46A (5)	"a general officer" - -	"an air or general officer"
48	"captain" wherever that word occurs.	"flight lieutenant"
48 (7)	"a field officer" - -	"an officer of or above the rank of squadron leader"
48 (9)	"field officer" where that word first occurs.	"squadron leader"
	"a field officer" where that word occurs the second time.	"an officer of or above the rank of squadron leader"
49 (1) (*c*)	"captain" - - -	"flight lieutenant"
54 (1) (*d*)	"general field or flag officer"	"officer (not being below the rank of squadron leader, flag officer or field officer)"
73 (3)	"prescribed general officer"	"prescribed officer"
74 (1)	"general officer" - -	"air officer"
108A (1)	"general or field officer" -	"officer not below the rank of squadron leader"
115 (1)	"general or field officer" -	"officer not below the rank of squadron leader"
122 (1) (*c*) and (*e*).	"degree of field officer" -	"rank of squadron leader"
122 (1) proviso.	"field officer" in both places where those words occur.	"squadron leader"
	"degree of captain" - -	"rank of flight lieutenant"
122 (6)	"a field officer" - -	"squadron leader"
123 (1) (*b*)	"captain" - - -	"flight lieutenant"
154	"general" wherever that word occurs.	"air"
172	"general or other" in both places where those words occur	"air or other"
173	"captain" - - - -	"flight lieutenant"

Section of Act.	Former Designation.	Present Designation to be substituted.
177	"general officer" - -	"air officer"
179A (2) (*d*)	"general or other" wherever those words occur.	"air or other"
182 (4)	"captain" - - - -	"flight lieutenant"
183 (2)	"any general or flag officer"	"any air, general or flag officer"
184 (2)	"general or other" wherever those words occur.	"air or other"
189	"general officer" wherever those words occur.	"air officer"

Section 26.

FIFTH SCHEDULE.

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
5 Geo. 5. c. 23	The Army (Suspension of Sentences) Act, 1915.	The whole Act.
5 & 6 Geo. 5. c. 103.	The Army (Suspension of Sentences) Amendment Act, 1916.	The whole Act.
7 & 8 Geo. 5. c. 51.	The Air Force (Constitution) Act, 1917.	Subsections (2) and (3) of section twelve and in subsection (4) of section twelve the words "the Army Act or," wherever those words occur and the words from "but as respects" to "as aforesaid."
9 Geo. 5. c. 15	The Naval, Military and Air Force Service Act, 1919.	Subsection (3) of section two.

CHAPTER 8.

An Act to further amend the Law as to the Letting and Rating of small Dwelling-Houses in Scotland.

[20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Provisions as to recovery by owners of small dwelling houses of occupiers' assessments.

1.—(1) The assessments imposed by any assessing authority in Scotland for the year to Whitsunday, nineteen hundred and twenty, and for any subsequent year, which are imposed on any occupier of a small dwelling-house, and for which the owner is by law responsible, shall, subject to the provisions of this Act and to the extent (if any) to which the total of such assessments is in excess of the total of the assessments for the immediately preceding year, be deemed to have been and be a lawful addition to the rent for the whole of the year for which the increased assessments are imposed, and shall be payable by the occupier or successive occupiers of the small dwelling-house during that year, but to such extent only and in such shares as shall be proportionate to the period or periods of their respective occupancies; and, where in any year the total of the assessments imposed on any occupier of a small dwelling-house for which the owner is by law responsible shall be less than the total of the assessments for the preceding year, the owner shall (without prejudice to his right to payment of the standard rent in full) allow to the occupier or successive occupiers of the small dwelling-house a corresponding deduction from the rent thereof to such extent or in such shares as shall be proportionate to the period or periods of their respective occupancies :

Provided that, where an owner has paid to an assessing authority any assessment in excess of the assessment for the preceding year which, owing to any change in the occupancy of a small dwelling-house, he is unable to recover as an addition to rent under this Act, the assessing authority, if satisfied that all reasonable steps have been taken to recover the same, shall repay to him the amount so paid and irrecoverable, upon a claim therefor being lodged by the owner with the assessing authority on or before a date to be fixed by the assessing authority giving particulars of any change of occupancy and the amount claimed as irrecoverable.

(2) So much of the provisions of proviso (vi) to subsection (1) of section one of the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915 (as amended by subsection (3) of section five of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1919), as provides that no increase

5 & 6 Geo. 5. c. 97.

9 Geo. 5. c. 7.

of rent by the said Act of 1915 permitted shall be due or recoverable in respect of any period prior to the expiry of four clear weeks after the service of the notice in the said proviso mentioned, shall not apply to any addition to rent payable by an occupier to an owner under this Act.

(3) So much of any addition to the rent of a small dwelling-house payable under this Act as relates to any portion of the year prior to the service of the notice aforesaid shall be recoverable from, and payable by, the occupier for the time being as if the said addition were arrears of rent.

Statement as to amount of occupier's assessments.

2. From and after Martinmas nineteen hundred and twenty, every document containing a demand for rent, or a receipt for rent, payable in respect of a small dwelling-house in Scotland shall state the total amount of any assessments for the time being imposed on the occupier of the small dwelling-house for which the owner is by law responsible proportionate to the period for which the rent is demanded or has been paid :

Provided that, where such a statement as is required by this section has been furnished in connexion with a demand for rent or receipt for rent in respect of a particular period, it shall not be necessary to furnish the statement upon any subsequent demand for rent or receipt for rent in respect of that period.

Penalties.

3. Any owner who knowingly demands or receives from an occupier of a small dwelling-house in respect of rent or addition to rent any sum in excess of the sum which he is by law entitled so to demand or receive, and any owner who knowingly makes or causes to be made any false statement in or in connexion with any claim lodged with an assessing authority under subsection (1) of section one of this Act, shall be liable on summary conviction to a penalty not exceeding fifty pounds, and any owner who makes a demand for rent or gives a receipt for rent which does not comply with the provisions of the immediately preceding section of this Act shall, in respect of each offence, be liable on summary conviction to a penalty not exceeding forty shillings.

Interpretation.

4. In this Act, unless the context otherwise requires,—

The expressions "assessment," "assessing authority," "owner," "occupier," and "small dwelling-house" have the same meanings respectively as in the House-Letting and Rating (Scotland) Act, 1911, and the expressions "demand for rent" and "receipt for rent" shall include rent-book, rent-card, and any document used for the notification or collection of rent due or for the acknowledgment of the receipt of the same;

1 & 2 Geo. 5. c. 53.

The expression "standard rent" has the same meaning as in the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.

5.—(1) This Act may be cited as the House-Letting and Rating (Scotland) Act, 1920, and the House-Letting and Rating (Scotland) Act, 1911, and this Act may be cited together as the House-Letting and Rating (Scotland) Acts, 1911 and 1920. Citation and extent.

(2) This Act shall extend to Scotland only.

CHAPTER 9.

An Act to provide for the variation of the provisions regulating the raising of Capital by Companies carrying on certain statutory undertakings. [20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1) Where a company are authorised by special Act to raise capital by the issue of stock or the borrowing of money for the purpose of carrying on any undertaking to which this Act applies, or where the powers of a company to raise capital or borrow money for the purpose of carrying on such an undertaking are limited by the special Act, the company may, if they think fit, notwithstanding anything in the special Act, with the consent of the appropriate Government department, which consent may be given subject to such terms and conditions as appear to the department to be expedient— Powers under provisions of special Acts and Orders as to capital issues.

(*a*) offer for subscription by the public any such stock and at a fixed price lower than the nominal amount of the stock, and all allotments in respect of such stock shall be made as nearly as possible pro rata :

Provided that, if in any case, where the amount of money to be raised does not exceed twenty thousand pounds, it is proved to the satisfaction of the appropriate department that the observance of any of the limitations so imposed on the offering for subscription or allotment of stock would prejudice the success of the issue or the realisation of the best price obtainable, the department may dispense with such limitation;

(*b*) where the special Act authorises the creation and issue of ordinary stock, create and issue redeemable or irredeemable preference stock in lieu thereof;

(*c*) where the special Act authorises the creation and issue of irredeemable preference or debenture stock, create and issue redeemable preference or debenture stock;

(*d*) where the special Act authorises the creation and issue of debenture stock or the borrowing of money to a limited extent, create and issue debenture stock or borrow money to an extent not exceeding half the share capital for the time being issued and paid up;

(*e*) pay a higher rate of dividend or interest on preference stock or debenture stock or money borrowed than that authorised by the special Act:

Provided that—

(i) the department shall require a company making application to them for their consent under this Act to give notice of the application in writing to the council of each county, borough, or urban or rural district within which any part of the undertaking or limits of supply of the company is situate, and of the manner in which and time within which representations may be made with respect to the application, and the department shall consider any representations which may be duly made;

(ii) preference stock, whether redeemable or otherwise, shall not be issued under the authority of this Act to a greater extent than shall be sufficient to produce, including any premium which may be obtained on the sale thereof, an amount equal to the nominal amount of the stock authorised to be issued by the special Act or, as the case may be, the amount authorised to be raised by the special Act; and

(iii) no consent given by a department in pursuance of this Act shall have effect until a report of the circumstances of the case has been presented to Parliament by the department and has lain upon the table of each House of Parliament for a period of not less than twenty-one days during which the House has sat, and, if either House during that period presents an Address to His Majesty praying that consent may be withheld, no such consent shall be given; and

(iv) the provisions contained in the Schedule to this Act shall apply in respect of redeemable preference or debenture stock issued in pursuance of this Act; and

(v) preference stock issued under the authority of this Act shall not affect any preference or priority as to the payment of dividends or capital enjoyed by any preference stock existing at the date of such issue, except with the sanction of three-fourths of the votes of the holders of that stock present (personally or by proxy) at a meeting of those stockholders specially convened for the purpose; and

(vi) debenture stock issued under the authority of this Act shall not affect any priority as to the payment of interest or capital enjoyed by any debenture stock existing at the date of that issue except with the sanction of three-fourths of the votes of the holders of such stock.

(2) The undertakings to which this Act applies are undertakings for the supply of gas, water, hydraulic power, and electricity, and tramway undertakings, including light railways constructed wholly or mainly on public roads.

(3) For the purposes of this Act—

The expressions "stock" and "stockholder" include shares and shareholder;

The expression "special Act" includes Provisional Orders and orders having the force of an Act of Parliament;

The expression "appropriate Government department" means in relation to gas, water, and hydraulic power undertakings the Board of Trade, and in relation to electricity and tramway undertakings the Minister of Transport.

Short title and duration.

2.—(1) This Act may be cited as the Public Utility Companies (Capital Issues) Act, 1920.

(2) This Act shall continue in force for five years and no longer, unless Parliament otherwise determines, but the expiration of this Act shall not affect the validity of anything done in pursuance thereof.

SCHEDULE.

Section 1.

PROVISIONS RELATING TO REDEEMABLE STOCK.

1. The company may create and issue any preference or debenture stock which they are authorised to create and issue so as to be redeemable on such terms and conditions as may be specified in a resolution of the company passed at a special meeting convened for the purpose.

2. If it is so provided in the resolution, the company may—

(i) call in and pay off the stock, or any part thereof, at one hundred pounds for every one hundred pounds stock at any time before the date fixed for redemption;

(ii) redeem the stock, or any part thereof, either by paying off the stock or by issuing to any stockholder, subject to his consent, other stock in substitution therefor, and may, for the purpose of providing money for paying off the stock or providing substituted stock, create and issue new stock (redeemable or irredeemable) or re-issue stock originally created and issued as aforesaid; so, however, that

the creation and issue for that purpose of any particular class of stock does not make the total nominal amount of such stock exceed the amount of that class of stock which the company are for the time being authorised to create except during the necessary interval between the creation and issue of the new stock and the redemption of the old stock.

3. Save as hereinafter provided, the company shall not redeem out of revenue any preference or debenture stock so created and issued as aforesaid, but the company may, if they think fit at any time during a period of ten years from the creation and issue of any such preference or debenture stock, redeem out of revenue to an amount to be approved by the appropriate Government department, any such stock created and issued for the purpose of defraying abnormal reparation expenditure due to circumstances arising out of the present war, and such redemption may be effected either by way of the repayment by annual instalments of the said sum, or by way of a sinking fund calculated to pay off the same at the expiration of the period aforesaid.

CHAPTER 10.

An Act to amend the Acts relating to National Health Insurance. [20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Provisions as to contributions.
1 & 2 Geo. 5. c. 55.

1.—(1) The contributions payable under the Act of 1911 in respect of employed contributors shall be at the rates set out in the First Schedule to this Act, instead of at the rates specified in the Second Schedule to the Act of 1911, and references in any enactment to the said Second Schedule or to Part I. or Part II. of that Schedule shall be construed as references to the First Schedule to this Act or to Part I. or Part II. of that Schedule respectively.

(2) The proviso to subsection (1) of section four of the Act of 1911 (which provides for the payment out of moneys provided by Parliament of part of the contributions payable in respect of low-wage earners) shall cease to have effect.

7 & 8 Geo. 5. c. 62.

(3) Section ten of the Act of 1918, (which relates to the rate of the employer's contribution in the case of an employee holding a certificate of exemption), shall have effect as though fivepence and fourpence were therein substituted for threepence and twopence halfpenny respectively.

(4) The provisions of section three of the Act of 1911, (which prescribes the proportions in which the funds for providing benefits and defraying expenses of administration are to be

derived from contributions and from moneys provided by Parliament) shall have effect as though the words "or in the case of women three-fourths" and the words "or in the case of women one-quarter" were omitted therefrom.

(5) The provisions of paragraphs (*b*) and (*c*) of subsection (1) of section twenty-four of the Act of 1918 (which provides for deductions from the pay of seamen, marines, and soldiers, on account of contributions paid in respect of them) shall cease to have effect.

Rates of sickness, disablement, and maternity benefits.

2.—(1) The ordinary rate of sickness benefit shall be in the case of a man the sum of fifteen shillings a week, and in the case of a woman the sum of twelve shillings a week, throughout the whole period of twenty-six weeks, and the rate of disablement benefit shall be a sum of seven shillings and sixpence a week for men and women alike.

(2) The amount of maternity benefit shall be a sum of forty shillings instead of a sum of thirty shillings.

In the foregoing provision the expression "maternity benefit" includes maternity benefit payable under the provisions of subsection (1) of section twenty-two of the Act of 1918.

(3) Subsection (1) of section twelve of the Act of 1918 (which provides for reduced rates of sickness benefit in certain cases) shall have effect as if nine shillings and seven shillings and sixpence were therein substituted for six shillings and five shillings respectively.

(4) Every scheme in force under section seventy-two of the Act of 1911 shall continue to have effect as if the rates of benefit had not been altered by this section, and no such scheme shall be amended so as to provide for any benefit provided by the society being reduced by an amount greater than the amount of the similar benefit under the Act of 1911 at the rate in force before the commencement of this Act.

Power of Minister to withdraw certificates and determine schemes.

3.—(1) Where it appears to the Minister that, by reason of the increase in the rates of sickness and disablement benefits for which provision is made by this Act, the terms of any employment as respects which a certificate has been given under paragraph (*b*) or paragraph (*c*) of Part II. of the First Schedule to the Act of 1911 are no longer such as to secure provision in respect of sickness and disablement on the whole not less favourable than the corresponding benefits conferred by Part I. of that Act, the Minister may by order withdraw the certificate, and where any such certificate is so withdrawn the employment shall cease to be an excepted employment.

(2) Where the Minister is satisfied as regards any scheme which has been confirmed under section thirteen of the Act of 1911 that, by reason of the increase in the rates of sickness benefit and disablement benefit for which provision is made by this Act, the value of the benefits conferred by the scheme is no longer equivalent to the value of the benefits for which they are substituted, the Minister may by order revoke the scheme.

(3) An order under this section shall specify the date as from which the certificate is to be withdrawn or the scheme is to be revoked, as the case may be, and may contain such other provisions as appear to the Minister necessary or expedient for giving effect to the order.

(4) The withdrawal of a certificate or the revocation of a scheme under this section shall be without prejudice to the power of the Minister to grant a new certificate or to confirm a new scheme.

Sanatorium benefit discontinued except in Ireland.

4.—(1) Sanatorium benefit shall, except as regards Ireland, cease to be included among the benefits conferred by Part I. of the Act of 1911.

(2) The Minister may, in connection with the discontinuance of sanatorium benefit, make provision by regulations—

(*a*) for the manner in which any surplus standing to the credit of the Sanatorium Benefit Fund of any insurance committee, after all liabilities in respect of the expenses of sanatorium benefit have been met, is to be disposed of, and in which any deficit in the Sanatorium Benefit Fund of any such insurance committee is to be met, and for making such other financial adjustments as appear necessary for carrying this section into effect; and

(*b*) for determining any agreements entered into by insurance committees under any enactment relating to sanatorium benefit which is repealed by this Act or for transferring to other persons, on such conditions as may be prescribed, any rights or liabilities under any such agreements; and

(*c*) with respect to the disposal by insurance committees of any registers, records or other documents in their possession relating to the administration of sanatorium benefit or to persons who have been in receipt of sanatorium benefit.

(3) The expression "medical treatment and attendance" in paragraph (*a*) of subsection (1) of section eight of the Act of 1911 includes treatment and attendance in respect of tuberculosis.

(4) Subsection (3) of section twenty-four of the Act of 1918, (which relates to the sanatorium benefit of persons in the Naval and Military service of the Crown), shall cease to have effect.

Amendment of financial provisions.

5.—(1) The sum to be retained by the Minister under subsection (3) of section fifty-five of the Act of 1911 out of each weekly contribution shall, in the case of an insured person being a man, be twopence and one-third of a penny instead of one penny and five-ninths of a penny, and, in the case of an insured person being a woman, be one penny and eleven-twelfths of a penny instead of one penny and one-sixth of a penny.

(2) The amounts to be carried to the Contingencies Fund and the Central Fund under subsection (2) of section one of

the Act of 1918 shall be calculated as if in the First Schedule to that Act the words "in the case of men two-thirds of a penny and in the case of women one half-penny" were substituted for the words "in the case of men four-ninths and in the case of women three-ninths of a penny."

(3) Ten shillings shall be substituted for eight shillings as the maximum amount which may, under subsection (2) of section two of the Act of 1918, be charged on the Women's Equalisation Fund in respect of each married woman.

(4) The amount which the Minister under the regulations made in pursuance of paragraph (*b*) of subsection (1) of section fifty-six of the Act of 1911 is to be required to pay over to a society for investment or to retain on behalf of a society for investment shall in all cases be one-half of the sum carried to the credit of the society in the investment account.

Amendment of subsection (1) of section 10 of National Insurance Act, 1913. 3 & 4 Geo. 5. c. 37.

6. Two hundred and fifty pounds shall be substituted for one hundred and sixty pounds in subsection (1) of section ten of the National Insurance Act, 1913, which relates to the medical benefit of voluntary contributors.

Provision for cost of medical benefit and for administration expenses of insurance committees.

7.—(1) Subsection (6) of section fifteen of the Act of 1911, (which makes provision for the payment to insurance committees by approved societies of sums in respect of medical benefit and the cost of administration thereof), shall cease to have effect, and subject to the provisions of this section there shall be paid in each year to insurance committees in Great Britain out of the funds out of which benefits are payable under Part I. of the Act of 1911, on account of the cost of medical benefit a sum of nine shillings and sixpence, and on account of the administration expenses of those committees such sum not exceeding fourpence as may be prescribed in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to medical benefit as being or having been members of an approved society.

(2) Payments under this section shall be made in accordance with regulations to be made under subsection (1) of section fifty-six of the Act of 1911, and any regulations so made may make special provision as to the sum to be paid on account of the cost of the medical benefit of, and otherwise with respect to, members of an approved society who are persons employed as masters, seamen, or apprentices to the sea service or the sea fishing service serving on foreign-going ships or ships engaged in regular trade on foreign stations.

(3) Paragraph (*d*) of section forty-two of the Act of 1911, (which makes provision as to the sum payable in respect of deposit contributors for the cost of medical benefit), shall have effect as though the words "as may be prescribed" were therein substituted for the words "as the insurance committee may, "with the consent of the Insurance Commissioners, determine."

(4) If the special circumstances of any county or county borough are such that the Minister considers that the travelling expenses of the members of the insurance committee for that county or county borough should be repaid to them by the committee, the Minister may authorise the committee to repay the whole or any part of any such expenses, and any sum so repaid shall be treated as part of the administration expenses of the committee.

(5) Subsection (3) of section thirty-one of the Act of 1913 (which makes provision for the payment by insurance committees of subscriptions to the funds of an association of insurance committees) shall have effect as though the words " not exceeding " in respect of any year ten pounds or such greater amount as " the Minister approves, not exceeding twenty pounds," were substituted for the words " not exceeding ten pounds in any one year."

(6) Subsection (2) of section thirty-three of the Act of 1913 (which makes provision for the administrative expenses of committees elected by medical practitioners and persons supplying drugs and medicines) shall have effect as though the words " such a sum as may be determined by the insurance committee " with the consent of the Minister not exceeding twopence in " all in respect of each year in respect of each insured person " entitled to obtain medical attendance and treatment from the " practitioners who have entered into agreement with the insur- " ance committee " were substituted for the words " such a sum " not exceeding one penny in all in respect of each insured " person entitled to obtain medical attendance and treatment " from the practitioners who have entered into agreement with " the insurance committee as may be determined by the " insurance committee with the consent of the Minister."

(7) There shall be paid in each year to insurance committees in Ireland out of the funds out of which benefits are payable under Part I. of the Act of 1911 on account of the administration expenses of those committees such sum not exceeding twopence as may be prescribed in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to sanatorium benefit as being or having been members of an approved society.

(8) This section shall be deemed to have had effect as from the first day of January nineteen hundred and twenty, and regulations made for the purpose of this section may contain a provision directing that all or any of the provisions of the regulations shall, with such modifications as appear necessary or expedient, apply and be deemed always to have applied as from that date.

Amendment as to administration of medical benefit.

8.—(1) The proviso to subsection (2) of section fifteen of the Act of 1911, (which makes provision for cases in which there is not an adequate medical service in any area), shall have effect as though references therein to an area included

references to any part of an area, and as though for the words "a sum equal to the estimated cost of his medical benefit" during that period" there were substituted the words "a sum "bearing the same proportion to nine shillings and sixpence "as that period bears to a whole year."

(2) In section eleven of the Act of 1913, (which relates to alternative arrangements for the panel system), the words from "so calculated" to the end of the section shall be repealed.

Procedure on appeal against decision of insurance committee. 52 & 53 Vict. c. 49.

9. Regulations made under section fifteen of the Act of 1911 may provide for the procedure on any appeal to the Minister against a decision of an insurance committee given under any regulations so made, and may for that purpose apply, with or without modifications, any of the provisions of the Arbitration Act, 1889.

Amendment of law as to determination of questions.

10.—(1) In paragraph (*a*) of subsection (1) of section sixty-six of the Act of 1911 (which relates to the determination of questions) after the word "Act" there shall be inserted the words "or whether a person is or was a person employed within the meaning of this Act," and in proviso (i) the words "to the county court with a further right of appeal" shall be repealed.

(2) The Minister may, on new facts being brought to his notice, revise any decision given by him or by the Insurance Commissioners under section sixty-six of the Act of 1911, other than a decision against which an appeal is pending or as respects which the time for appealing has not expired, and an appeal shall lie against any such revised decision in the same manner as against an original decision.

(3) Provision may be made by rules of court for regulating appeals and references to the High Court under section sixty-six of the Act of 1911, and those rules shall provide for limiting the time within which an appeal may be brought and for the determination in a summary manner of any such appeals or references, and for requiring notice of any such appeals to be given to the Minister.

(4) The Minister shall be entitled to appear and be heard on any appeal or reference under section sixty-six of the Act of 1911.

(5) Subsection (16) of section eighty of the Act of 1911 is hereby repealed.

Legal proceedings.

11.—(1) Any proceedings for an offence under the Act of 1911 before a court of summary jurisdiction may, notwithstanding any enactment prescribing the time within which such proceedings may be brought, be brought either within the time so prescribed or within three months from the date on which evidence sufficient in the opinion of the Minister to justify a prosecution for the offence comes to his knowledge, whichever is the longer, and, for the purposes of this section, a certificate

purporting to be signed by the Minister as to the date on which such evidence as aforesaid comes to his knowledge shall be conclusive evidence thereof.

(2) In any proceedings under the Act of 1911 before a court of summary jurisdiction the decision of the Insurance Commissioners or of the Minister, on any question whether a person is or was an employed person within the meaning of this Act, or not, shall, unless an appeal against the decision is pending or the time for appealing against the decision has not expired, be conclusive for the purpose of those proceedings, and, if such a decision has not been obtained and the decision of the question is necessary for the determination of the proceedings, the question shall be referred to the Minister for decision in accordance with the provisions of the Act of 1911, and, where any such appeal is pending or the time for so appealing has not expired or any question has been so referred to the Minister, the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

(3) Proceedings under section forty of the Act of 1918 by employees against employers for the recovery of certain sums as civil debts may, notwithstanding any provision in any enactment, be brought at any time within one year after the date on which the employee, but for the failure or neglect of the employer, would have been entitled to receive the benefit which he has lost.

Power of inspectors to take and conduct proceedings.

12.—(1) Any inspector or other officer appointed for the purpose of Part I. of the Act of 1911 shall, if authorised in that behalf by any special or general directions of the Minister, have power to take proceedings for any offence under the National Insurance (Health) Acts, 1911 to 1919, and may, if authorised in that behalf by such directions as aforesaid, although not a counsel, solicitor, or law agent, prosecute or conduct before a court of summary jurisdiction any proceedings for any such offence as aforesaid.

(2) It shall not be any objection to the competency of a person to give evidence as a witness in proceedings in Scotland for such an offence as aforesaid that the proceedings are prosecuted or conducted by him.

Amendment as to benefit of persons in receipt of disablement pensions or allowances. 5 & 6 Geo. 5. c. 29.

13.—(1) The Minister may by regulations direct that the provisions of section one of the National Insurance (Part I. Amendment) Act, 1915, shall apply to allowances in respect of disablement in the highest degree granted in pursuance of any Order in Council, Royal Warrant, or order relating to the pensions of persons disabled in consequence of the present war as they apply to pensions in respect of disablement in the highest degree, and that, where a person entitled to a pension granted in pursuance of such an Order in Council, Warrant or order as aforesaid receives in addition such an allowance as aforesaid and the aggregate amount of the pension and the allowance is equal to the amount of a pension in respect of disablement in the

highest degree, that person shall, for the purposes of the provisions of the section aforesaid, be deemed to be in receipt of a pension in respect of disablement in the highest degree.

(2) Subsection (1) of section one of the National Insurance (Part I. Amendment) Act, 1917, shall have effect as though for the words "five shillings a week" there were substituted the words "seven shillings and sixpence a week." 7 & 8 Geo. 5. c. 15.

Amendment of s. 13 of 7 & 8 Geo. 5. c. 62, with respect to persons receiving training

14. The Minister may make regulations providing that, in the case of persons receiving training, whether in technical institutions or otherwise, under any Order in Council, Royal Warrant, or order relating to pensions granted to persons in respect of disablement in consequence of the present war, the period during which under section thirteen of the Act of 1918 an insured person who ceases to be employed within the meaning of Part I. of the Act of 1911 is to remain an insured person shall, subject to such conditions with respect to payment of contributions and otherwise as may be prescribed by the regulations, be extended for such period as may be so prescribed.

Amendment as to additional benefits.

15.—(1) Part II. of the Fourth Schedule of the Act of 1911 shall have effect as though the following new paragraph were inserted at the end thereof:—

(15) Such other additional benefits being of the same character as any of those hereinbefore mentioned as may be prescribed.

(2) Additional benefits authorised by a scheme under section thirty-seven of the Act of 1911 (which relates to cases where a surplus is found on a valuation) shall not, except as may be otherwise prescribed, be distributed among any persons who were not members of the society or branch on the date as at which the valuation was made.

Extension of power to make regulations.

16. The Minister shall have power to make regulations with respect to the matters specified in the Second Schedule to this Act.

Consequential and minor amendments.

17. The amendments specified in the second column of the Third Schedule to this Act (which relate to consequential and minor matters), shall be made in the enactments specified in the first column of that schedule.

Application to Scotland and Ireland.

18.—(1) In the application of this Act to Scotland the Scottish Board of Health, and in the application of this Act to Ireland the Irish Insurance Commissioners acting under the direction of the Chief Secretary, shall be substituted for the Minister.

(2) In the application of section one hundred and nine of the Act of 1911 to Scotland the expression "Board of Guardians" means "parish council."

Power to make arrangements with Isle of Man

19.—(1) If provision is made by legislative enactment in the Isle of Man or in the Channel Islands for the establishment therein of any scheme of national health insurance, the National

and Channel Islands.

Health Insurance Joint Committee with the consent of the Treasury may by regulations make arrangements for enabling persons insured under the Act of 1911 to receive benefits under that Act while resident in the Isle of Man or the Channel Islands, as the case may be, and for enabling persons insured under the scheme of national health insurance in the Isle of Man or the Channel Islands, as the case may be, to receive benefits under that scheme while resident in the United Kingdom.

(2) Regulations made under this section may direct that the National Insurance (Health) Acts, 1911 to 1919, and this Act shall, in relation to or in connection with any persons affected by any such arrangements as aforesaid, apply subject to such modifications and adaptations as may be prescribed by the regulations and may make provision for any necessary financial adjustments.

Construction.

1 & 2 Geo. 5. c. 55.

3 & 4 Geo. 5. c. 37.

7 & 8 Geo 5. c. 62.

20.—(1) In this Act, unless the context otherwise requires—

The expression "the Act of 1911" means the National Insurance Act, 1911;

The expression "the Act of 1913" means the National Insurance Act, 1913;

The expression "the Act of 1918" means the National Health Insurance Act, 1918;

The expression "the Minister" means the Minister of Health.

(2) This Act shall be construed as one with the National Insurance (Health) Acts, 1911 to 1919, and any references in this Act to any provisions of those Acts which have been amended by any other Act or are amended by this Act shall be construed as references to those provisions as so amended.

Short title, commencement, and repeal.

21.—(1) This Act may be cited as the National Health Insurance Act, 1920, and the National Insurance (Health) Acts, 1911 to 1919, and this Act may be cited together as the National Health Insurance Acts, 1911 to 1920.

(2) This Act shall, save as otherwise expressly provided, come into operation on the fifth day of July nineteen hundred and twenty or on such later date or dates not being more than twelve months after the passing thereof as the National Health Insurance Joint Committee may by order appoint, and different dates may be appointed for different purposes and different provisions of this Act.

(3) The enactments specified in the first column of Part I of the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, and the enactments specified in the first column of Part II. of the said Fourth Schedule are hereby repealed except as regards Ireland to the extent specified in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

RATES OF CONTRIBUTION IN RESPECT OF EMPLOYED CONTRIBUTORS.

PART I.

IN GREAT BRITAIN.

In the case of men	10*d.* a week.
In the case of women	9*d.* a week.

Contributions by Employers and Employed Contributors.

In Ordinary Cases.

To be paid by the employer		5*d.* a week.
To be paid by the contributor	men	5*d.* a week.
	women	4*d.* a week.

In case of Low-Wage Earners.

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4*s.* a working day, the following shall be the rates of contribution :—

(1) Where the rate of remuneration does not exceed 3*s.* a working day—

To be paid by the employer	for men	10*d.* a week.
	for women	9*d.* a week.

(2) Where the rate of remuneration exceeds 3*s.* but does not exceed 4*s.* a working day—

To be paid by the employer		6*d.* a week.
To be paid by the contributor	men	4*d.* a week.
	women	3*d.* a week.

PART II.

IN IRELAND.

In the case of men	8*d.* a week.
In the case of women	7*d.* a week.

Contributions by Employers and Employed Contributors.

In Ordinary Cases.

To be paid by the employer		4*d.* a week.
To be paid by the contributor	men	4*d.* a week.
	women	3*d.* a week.

In case of Low-Wage Earners.

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4*s*. a working day, the following shall be the rates of contribution :—

(1) Where the rate of remuneration does not exceed 3*s*. a working day—

To be paid by the employer	for men	8*d*. a week.
	for women	7*d*. a week.

(2) Where the rate of remuneration exceeds 3*s*. but does not exceed 4*s*. a working day—

To be paid by the employer		5*d*. a week.
To be paid by the contributor	men	3*d*. a week.
	women	2*d*. a week.

Section 16.

SECOND SCHEDULE.

MATTERS WITH RESPECT TO WHICH REGULATIONS MAY BE MADE.

1. Providing, in the case of any persons who are insured at the commencement of this Act and whose position is affected by any of the provisions thereof, for the transition from the provisions of the National Insurance (Health) Acts, 1911 to 1919, affecting them to those provisions as amended by this Act, including any necessary crediting or variation of reserve values.

2. Charging to the funds of an approved society and carrying to the Reserve Suspense Fund such sum (calculated in the prescribed manner) as represents the estimated cost (including administration expenses) of medical benefit, or (in the case of Ireland) of sanatorium benefit, in respect of each member of the society who attains the age of seventy years, and determining the amounts to be transferred in each year from the Reserve Suspense Fund to insurance committees in respect of such members.

Section 17.

THIRD SCHEDULE.

CONSEQUENTIAL AND MINOR AMENDMENTS.

Enactment to be amended.	Amendment.
The National Insurance Act, 1911 :—	
Section 11 (1) (*c*)	"Fifteen shillings" shall be substituted for "ten shillings."
Section 42 (*f*) and (*g*)	"One-half" shall be substituted for "four-sevenths (or in the case of a woman one-half)."

Enactment to be amended.	Amendment.
The National Insurance Act, 1911—*cont.*	
Section 48 (2) -	"Two-pence" shall be substituted for "one penny."
Section 48 (2) (*b*) -	"Three-sevenths" shall be substituted for "two-fifths."
Section 48 (11) -	After the word "benefit" there shall be inserted the words "or conferring upon "such persons the right to sanatorium "benefit," and "one penny a week" shall be substituted for "one halfpenny a week."
Section 109 - -	"Seven shillings and sixpence" shall be substituted for "five shillings."
The National Insurance Act, 1913:—	
Section 19 (2) -	"Ninepence," "fivepence," and "fourpence" shall respectively be substituted for "sixpence," "fourpence," and "threepence."
Section 25 (2) -	The following paragraphs shall be substituted for paragraphs (*a*), (*b*), and (*c*):— "(*a*) A rate not exceeding three shillings a working day"; "(*b*) A rate exceeding three shillings but not exceeding four shillings a working day."
The National Insurance (Part I. Amendment) Act, 1915:—	
Section 3 (2) and (3)	"Fivepence halfpenny" shall be substituted for "fourpence."
The National Health Insurance Act, 1918:—	
Section 3 (1) - -	The words "with the proper proportion of "the accumulations of interest on the "amount from time to time standing "to the credit of the fund" shall be repealed.
Section 7 (2) - -	"Twopence" shall be substituted for "one penny halfpenny."
Section 13 (1) and (3)	The words "until the thirtieth day of June or "the thirty-first day of December, which-"ever first occurs, next after the expira-"tion of a period of six months from the "date on which he ceases to be an "insured person" shall be substituted for the words "until the termination of "the year in which he ceases to be an "insured person."
Section 22 (1) -	For the words "sickness benefit at the rate "of five shillings a week for" there shall be substituted the words "sickness benefit "or disablement benefit at the rate of "seven shillings and sixpence a week for "an aggregate of," and the words "until "the thirtieth day of June or the thirty-"first day of December, whichever first "occurs, next after the expiration of a

Enactment to be amended.	Amendment.
The National Health Insurance Act, 1918—*cont.*	
Section 22 (1)—*cont.*	" period of twelve months from the date " on which she ceased to be such a person " as aforesaid " shall be substituted for the words " until the termination of " the year next following the year in " which she ceased to be such a person " as aforesaid."
Section 24 (1) -	" Fourpence halfpenny " shall be substituted for " threepence."
Section 29 - -	After the words " those sums," where those words secondly occur, there shall be inserted the words " after deducting there- " from any amounts payable in respect " of the cost of medical benefit, or in " the case of Ireland in respect of the " cost of sanatorium benefit."
Fourth Schedule, paragraph 9.	After the word " fixed " there shall be inserted the words " as nearly as may be."

Section 21.

FOURTH SCHEDULE.

PART I.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Proviso to subsection (i) of section four; subsection (2) of section eight; subsection (6) of section fifteen; in subsection (12) of section forty-eight the words " and sanatorium benefit "; subsection (2) of section sixty-one; in section sixty-six the words " to the " county court with a further right of " appeal " and the words " in such " summary manner as, subject to " rules of court, may be directed by " the court; and the court, after " hearing such parties and taking such " evidence (if any) as it thinks just, " shall decide the question "; subsection (16) of section eighty; subsection (18) of section eighty-one; the Second Schedule; Part I. of the Fourth Schedule as far as unrepealed.

Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Geo. 5. c. 37.	The National Insurance Act, 1913.	Section eleven from "so calculated" to the end of the section; subsection (2) of section thirty-one; section thirty-nine; subsection (1) of section forty-two.
7 & 8 Geo. 5. c. 62.	The National Health Insurance Act, 1918.	Subsection (1) of section one; section nine in subsection (1) of section twenty-four the words from "and (*c*) the Admiralty" to the end of the subsection. Subsection (1) of section forty-one.

PART II.

ENACTMENTS REPEALED EXCEPT AS REGARDS IRELAND.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Paragraph (*b*) of subsection (1) of section eight; in subsection (1) of section twelve the words "or of a sanatorium or similar institution approved under this Part of this Act"; in subsection (1) of section fourteen the words "and sanatorium"; section sixteen; section seventeen; in subsection (1) of section twenty-two the words "or sanatorium"; in paragraph (*b*) of section forty-two the words "and sanatorium benefit" and the words "or sanatorium benefit or both such benefits" and in paragraph (*e*) of that section the words "and sanatorium benefit"; in paragraph (ii) of subsection (2) of section forty-six the words "sanatorium benefit"; in subsection (3) of section fifty-nine the words "or sanatorium benefit"; in subsection (1) of section sixty-one the words "all sums available for sanatorium benefit in a county or county borough and"; subsection (4) of section sixty-four.
3 & 4 Geo. 5. c. 37.	The National Insurance Act, 1913.	In subsection (1) of section nine the words "and sanatorium benefit" in both places where those words occur.
7 & 8 Geo. 5. c. 15.	The National Insurance (Part I. Amendment) Act, 1917.	In section four the words "and sanatorium."

Session and Chapter.	Short Title.	Extent of Repeal.
7 & 8 Geo. 5. c. 62.	The National Health Insurance Act, 1918.	In subsections (1) and (3) of section thirteen the words "and sanatorium benefit"; in paragraph (*a*) of subsection (1) of section eighteen the words "or sanatorium"; in section twenty the words "or if he is an "inmate in receipt of sanatorium "benefit in a sanatorium in which "treatment under this Part of this "Act is provided"; in subsection (1) of section twenty-two the words "and sanatorium"; in subsection (1) of section thirty-four the words "or sanatorium"; in subsection (1) of section forty the words "or sanatorium benefit"; paragraph 7 of the Fourth Schedule.

CHAPTER 11.

An Act to make temporary provision for restricting the granting of orders for recovery of possession of, or the ejection of tenants from, certain dwelling-houses in Scotland. [20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Orders for possession.

1.—(1) Pending the passing of an Act to amend the law imposing restrictions on increases of rent and mortgage interest, no order or judgment for the recovery of possession of a dwelling-house to which this Act applies, or for the ejection of a tenant therefrom, shall be made or given so long as the tenant continues to pay rent at the agreed rate and performs the other conditions of the tenancy, except on one or other of the grounds specified in subsection (1) of section one of the Increase of Rent, &c. (Amendment) Act, 1919.

9 & 10 Geo. 5. c. 90.

(2) This Act applies to houses or parts of houses in Scotland let as separate dwellings where such letting does not include any land other than the site of the dwelling-house and a garden or other premises within the curtilage of the dwelling-house, or any obligation to provide board, attendance, or use of furniture, and where for the year ending Whitsunday nineteen hundred and fifteen either the rent or the yearly value according to the

valuation roll, exceeded sixty pounds but did not exceed ninety pounds.

(3) Where houses or parts of houses have been taken possession of by a Government Department during the war under the Defence of the Realm Regulations for the purpose of housing workmen, this Act shall apply to such houses or parts as if the workmen were tenants thereof, and notwithstanding that the rent or yearly value thereof did not exceed sixty pounds.

2. This Act shall apply to Scotland only, and may be cited as the Ejection (Suspensory Provisions) (Scotland) Act, 1920. Short title and application.

CHAPTER 12.

An Act to amend the Enactments relating to Savings Banks; to extend to National Savings Certificates the enactments relating to War Savings Certificates; and to amend the law with respect to the transfer of Government stock by Savings Bank authorities.

[20th May 1920.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

PART I.

SAVINGS BANKS.

1.—(1) There shall, subject as hereinafter provided, be no limit on the amount which may be received by a savings bank authority from any person by way of deposit or on the amount of Government stock which may be credited by a savings bank authority to the account of any depositor, and all enactments imposing, or relating whether directly or indirectly to, any such limit shall cease to have effect: Provision as to limits on savings banks deposits and on investment in Government stock.

Provided that it shall be lawful for the Treasury at any time by order under this section to limit the amount which may be so received from any person whatsoever either in any one year or in the aggregate, or the amount of Government stock which may be so credited to any person whatsoever either in one year or in the aggregate.

(2) An order under this section—

(*a*) may fix different limits as respects different classes of persons:

(*b*) may provide that any limit fixed by the order shall have effect subject to any exceptions or exclusions specified in the order :

(*c*) may contain special provisions with respect to depositors whose deposits at the date on which the order takes effect exceed the limit fixed by the order as regards deposits or in whose case the Government stock credited at that date exceeds the limit fixed by the order as regards Government stock :

(*d*) may contain such consequential and supplemental provisions as appear to the Treasury to be necessary for giving full effect to the order :

(*e*) may be revoked, extended or varied by a subsequent order :

(*f*) shall have effect as if enacted in this Act.

(3) Before any order is made under this section, a draft thereof shall be laid before each House of Parliament for a period of not less than twenty-one days during the session of Parliament, and, if either House before the expiration of that period presents an Address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft order.

(4) This section shall take effect as from the expiration of a period of six months after the termination of the present war.

Amendment of s. 5 of the National Debt (Supplemental) Act, 1888. 51 & 52 Vict. c. 15.

2.—(1) Section five of the National Debt (Supplemental) Act, 1888 (which makes provision as to the rate of interest to be allowed in respect of money paid into the Bank of England or the Bank of Ireland by the trustees of trustee savings banks), shall have effect as though the words " such rate not being less " than two pounds fifteen shillings per centum per annum and " not exceeding two pounds seventeen shillings and sixpence " per centum per annum as the Treasury may by order fix " were therein substituted for the words " the rate of two pounds " fifteen shillings per centum per annum."

(2) Any order made by the Treasury under this section may be varied from time to time as the Treasury think proper, and such rate as may be first fixed under this section shall be deemed to have been in operation as from the twentieth day of November, nineteen hundred and nineteen.

Extension of power to make regulations with respect to savings banks.

3.—(1) The power of the Postmaster-General, with the consent of the Treasury, to make regulations under the enactments relating to the Post Office savings bank shall include power to make regulations for any of the following purposes :—

(*a*) For prescribing the means by which particular facts may be proved and the mode in which evidence thereof may be given, and for authorising the Postmaster-General to treat proof of any particular facts given

in the manner prescribed by the regulations as conclusive evidence of those facts for the purpose of the payment or transfer of any sum :

(*b*) For authorising the Postmaster-General for the purpose of the payment or transfer of any sum to treat any person as having been domiciled in the place in which he was resident at the date of his death :

(*c*) For directing that except as provided by the regulations no entry with respect to any trust, express, implied or constructive, shall be made in the account of any depositor, and that except as aforesaid no notice of any such trust shall be receivable by the Postmaster-General :

(*d*) For determining the date on which a deposit is to be deemed to be withdrawn, and for prescribing the method by which payment of sums withdrawn is to be made.

(2) The Treasury may make regulations applying to trustee savings banks, with or without modifications, the provisions of any regulations made under this section with respect to the Post Office savings bank.

Amendment of law as to deposits of deceased depositors. 50 & 51 Vict. c. 40

4.—(1) Paragraph (*a*) of subsection (1) of section three of the Savings Banks Act, 1887, shall have effect as though the words "not exceeding in the aggregate one hundred pounds" were omitted therefrom, and paragraph (*b*) of the said subsection shall have effect as though for the words "for the revocation of such nomination" there were therein substituted the words "for the manner in which any such nomination may be revoked "by the depositor, and for the circumstances in which it is to "be treated as having ceased to be operative."

(2) Paragraph (*c*) of subsection (1) of section three of the Savings Banks Act, 1887, shall cease to have effect.

(3) The power to make regulations under section three of the Savings Banks Act, 1887, shall include power to make regulations for any of the following purposes :—

(*a*) For directing that any person acting as witness to a nomination shall be disqualified from taking thereunder :

(*b*) For authorising the savings bank authority to treat as a depositor in the savings bank any person named as nominee in any nomination who dies after the death of the nominator but before receiving payment of the sum to be paid to him under the nomination :

(*c*) For providing that where any person to whom any sum, being the whole or any part of the deposit of a deceased depositor, is payable is unable by reason of any incapacity whatsoever to give a legal discharge therefor the sum may be paid to any person undertaking to maintain the incapacitated person.

Amendment of s. 3 of 39 & 40 Vict. c. 52.

5. Section three of the Savings Banks (Barrister) Act, 1876 (which gives power to charge fees on certificates, awards, &c. given or made by the Registrar of Friendly Societies), shall have effect as if the words "not exceeding in any case one pound" were omitted therefrom.

Laying of draft regulations before Parliament.

6.—(1) Before any regulations are made either by the Postmaster-General with respect to the Post Office savings bank or by the Treasury with respect to trustee savings banks, a draft thereof shall be laid before each House of Parliament for a period of not less than twenty days during the session of Parliament, and, if either House before the expiration of that period presents an Address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft regulations.

(2) All regulations made by the Postmaster-General or by the Treasury as aforesaid shall come into operation on the date specified therein in that behalf, and shall have effect as if enacted in this Act.

24 & 25 Vict. c. 14.

(3) So much of section eleven of the Post Office Savings Bank Act, 1861, as requires copies of regulations to be laid before both Houses of Parliament shall cease to have effect.

PART II.

NATIONAL SAVINGS CERTIFICATES AND TRANSFER OF GOVERNMENT STOCK.

Statutory provisions relating to war savings certificates to apply to national savings certificates.

7. References in any Act to war savings certificates shall include a reference to any national savings certificates issued by the Treasury through the Post Office.

Transfer of Government stock by savings bank authorities.

8. In the case of the death of any person, being either a depositor in a savings bank to whom Government stock has been credited or a person entitled to Government stock inscribed in the Post Office register, the production of probate or letters of administration granted by any court in the Isle of Man or in any of the Channel Islands having authority to grant the same or of a certified copy of probate or letters of administration so granted shall, subject as hereinafter provided, be sufficient authority to the savings bank authority and (in so far as they are concerned) to the National Debt Commissioners, to transfer the Government stock to the person to whom the probate or letters of administration were granted or as directed by that person, and, where any stock is transferred in pursuance of the provisions of this section, the savings bank authority and the Commissioners shall, notwithstanding the invalidity of or any defect in the probate or letters of administration, be freed, discharged, and indemnified from and against all proceedings of

any kind whatsoever brought against them by any person, whatsoever for or in respect of the transfer of the stock:

Provided that a savings bank authority shall not transfer any Government stock in pursuance of the provisions of this section except on production to the authority of a certificate from the Commissioners of Inland Revenue showing either that all death duties payable in the United Kingdom in respect of the stock have been paid or that no duty is payable in the United Kingdom in respect thereof.

PART III.

GENERAL.

Extension to Channel Islands and the Isle of Man.

9. This Act shall extend to the Channel Islands and the Isle of Man and the Royal Courts of the Channel Islands shall register the same.

Short title, interpretation, and repeal.

10.—(1) This Act may be cited as the Savings Banks Act, 1920.

(2) Part I. of this Act, so far as it relates to the Post Office savings bank, may be cited with and shall be construed as one with the Post Office Savings Bank Acts, 1861 to 1908.

Part I. of this Act, so far as it relates to trustee savings banks, shall be construed as one with the Trustee Savings Banks Acts, 1863 to 1918, and those Acts, section five of the National Debt (Supplemental) Act, 1888, and Part I. of this Act so far as it relates to trustee savings banks may be cited together as the Trustee Savings Banks Acts, 1863 to 1920.

51 & 52 Vict. c. 15.

(3) In this Act the expression "savings bank authority" means, as regards any trustee savings bank, the trustees of the bank, as regards any savings bank for seamen, the Board of Trade, and, as regards the Post Office savings bank and Government stock inscribed in the Post Office register, the Postmaster-General, and references to stock inscribed in the Post Office register shall include references to securities registered in that register.

(4) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, in the case of the enactments mentioned in the First Part of that schedule as from the commencement of this Act, and in the case of the enactments mentioned in the Second Part of that schedule as from the expiration of a period of six months after the termination of the present war.

SCHEDULE.

Section 10.

ENACTMENTS REPEALED.

PART I.

Session and Chapter.	Short Title.	Extent of Repeal.
24 & 25 Vict. c. 14.	The Post Office Savings Banks Act, 1861.	Section eleven from "and all regulations" to the end of the section.
39 & 40 Vict. c. 52.	The Savings Banks (Barrister) Act, 1876.	In section three the words "not "exceeding in any case one "pound."
50 & 51 Vict. c. 40.	The Savings Banks Act, 1887.	Paragraph (c) of subsection (1) of section one; in subsection (1) of section three the words "not "exceeding in the aggregate "one hundred pounds" and the words from "and (c)" to the end of the subsection; and section four.
57 & 58 Vict. c. 60.	The Merchant Shipping Act, 1894.	Subsection (1) of section one hundred and forty-eight from "so that" to the end of the subsection, and in subsection (3) of that section the words "the amount of deposits."

PART II.

9 Geo. 4. c. 92	The Savings Bank Act, 1828.	Section twenty-seven from "to the amount" to the end of the section, so far as unrepealed.
26 & 27 Vict. c. 87.	The Trustee Savings Banks Act, 1863.	In section thirty-two the words from "with the approval" to "in that respect," the words "without restriction as to amount", and the words from "and also" to the end of the section, and in section thirty-nine the words from "the trustees" to "nor to prevent" and the words from "not exceeding" to the end of the section.
43 & 44 Vict. c. 36.	The Savings Banks Act, 1880.	Subsection (6) of section three.

Session and Chapter.	Short Title.	Extent of Repeal.
45 & 46 Vict. c. 51.	The Government Annuities Act, 1882.	Section seven from "(*a*) for the purpose" to "paid over to the depositor."
54 & 55 Vict. c. 21.	The Savings Banks Act, 1891.	Section eleven.
56 & 57 Vict. c. 69.	The Savings Bank Act, 1893.	Sections one and two, and section four from "but shall not" to the end of the section.
57 & 58 Vict. c. 47.	The Building Societies Act, 1894.	In section sixteen the words "provided that the whole "amount, exclusive of Government stock, credited by the bank to the society does not "exceed three hundred pounds "at any one time," and the words "provided that the "whole amount of Government "stock credited by the bank to the society does not exceed "five hundred pounds stock at "any one time."

CHAPTER 13.

An Act to amend and extend the duration of the Profiteering Acts, 1919. [20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Schemes for fixing reasonable rates of profit. 9 & 10 Geo. 5. c. 66.

1.—(1) Where any persons or associations of persons appearing to the Board of Trade to represent a substantial proportion of the persons engaged in the production or distribution of any article or class of articles to which the Profiteering Act, 1919 (hereinafter referred to as "the principal Act"), is applied, submit to the Board of Trade a scheme limiting the profit to be allowed on the manufacture or distribution of the article or class of articles at all or any stages of manufacture or distribution, the Board of Trade may, if they think it expedient, approve the scheme, and, where any such scheme is so approved, any profit sought or obtained in connexion with the sale of any article to which the scheme relates which does not exceed such profit as is allowed by or under the scheme shall not be deemed unreasonable for the purposes of section one of the principal Act.

(2) If the Board of Trade are satisfied that any scheme so approved secures an adequate supply to the home market of

any articles or classes of articles to which the principal Act is applied, the Board of Trade may by order exempt producers who comply with the scheme from any general investigation under section one, subsection (1) (*a*), of the principal Act in respect of those articles or classes of articles and any articles of a similar description.

Amendments of section 1 of principal Act.

2.—(1) Section one of the principal Act shall extend to hire purchase transactions and to the letting on hire of articles and offering to let articles on hire in like manner as it applies to the sale and offering for sale of articles, and the expressions "sale," "seller" and "price" shall be construed accordingly.

(2) The Board of Trade may, by order, extend section one of the principal Act to any process of manufacture, or the repairing, altering, dyeing, cleaning, washing or otherwise treating of any articles mentioned in the order and processes incidental thereto, or after consultation with the Minister of Transport to any form of road transport, subject to such modification as may be necessary to adapt the provisions of that section thereto.

(3) For the proviso to subsection (2) of section one of the principal Act, the following proviso shall be substituted :—

"Provided that the profit sought or obtained shall not, for the purposes of this section, be deemed to be unreasonable—

(*a*) in the case of a seller who was in the same way of business before the war, if the percentage rate of profit sought or obtained does not exceed the percentage rate of profit obtained by him upon the sale of similar articles before the war, due consideration being given to the relative costs and charges of carrying on the business; and

(*b*) in the case of a seller who was not in the same way of business before the war, if the percentage rate of profit sought or obtained by him does not exceed the average percentage rate of profit obtained by sellers in that way of business under similar conditions on the sale of similar articles before the war, due consideration being given to the relative costs and charges of carrying on the business."

The said proviso shall not apply in any case where the profit in respect of any transaction has been fixed by a scheme approved by the Board of Trade under this Act.

(4) Notwithstanding anything in any other Act, a prosecution for an offence under subsection (2) of section one of the principal Act may be instituted at any time within one year after the commission of the offence, except where the act constituting the offence is a sale by retail.

Interpretation of s. 2 (*b*) of the principal Act.

3. For removing doubts, it is hereby declared that a person shall not be deemed to be a trade competitor within the meaning of proviso (*b*) to subsection (2) of section two of the

principal Act of a person against whom a complaint is lodged by reason only that he is a member of a co-operative society or a shareholder in a company which carries on a business of the same class or description as is carried on by that person, if he does not take part in the management of and is not an official of the co-operative society or company.

Minor amendments of principal Act.

4. The provisions of the principal Act specified in the first column of the Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule.

Powers of inspection, &c. by officers of the Board of Trade.

5.—(1) For the purposes of an investigation under the principal Act, any officer of the Board of Trade or qualified accountant authorised in writing by the Board, may require the production to him of any books or documents relating to any business the subject matter of the investigation and may inspect and examine and copy the same, and may make such inquiries relating to such business as may be necessary for the purposes of the investigation.

(2) If any person having the custody or control of any book or document which such officer or qualified accountant is authorised to inspect under this section unreasonably refuses or wilfully neglects to produce it for inspection, or if any person who is able to give any information which is required under this section unreasonably refuses or wilfully neglects, when required, to give that information, or knowingly furnishes any information which is false in any material particular, he shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(3) Subject as hereinafter expressly provided, any information obtained under this section shall be treated as confidential and shall not be communicated to any person except the Board of Trade and the committee by which the investigation is being conducted, and, if any person discloses or publishes any information so obtained in contravention of this provision, he shall, on conviction by a court of summary jurisdiction, be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

Publication of reports.

6. Where under the principal Act an investigation has been held, the findings and decisions of the Board of Trade or the committee or tribunal which held the investigation, and their report or any part thereof, shall, if the Board of Trade think fit in the public interest, be published, notwithstanding anything in the principal Act or this Act:

Provided that in no case shall a report of a committee dealing with the business in the United Kingdom carried on by any person, firm, or company mentioned in the report be published, unless such person, firm, or company, or a represen-

tative on their behalf, has had an opportunity of appearing before the committee and of being heard in connexion with the matters dealt with in the report.

Protection of secret processes, &c. against disclosure.

7. Nothing in this Act or in the principal Act shall require particulars of any secret process or preparation, or of the ingredients used in such process or preparation to be disclosed, but the Board of Trade shall be entitled to require that the cost of production (exclusive of overhead charges) shall be furnished by the producer under the certificate verified by statutory declaration of a qualified accountant approved by the Board of Trade.

Mode of action by Board of Trade.

8. The principal Act shall have effect and shall be deemed always to have had effect as if the following provision had been inserted therein :—

"Anything authorised or required to be done to or by the Board of Trade under this Act, may be done to or by the President or a secretary or assistant secretary of the Board, or any person authorised in that behalf by the President of the Board."

Provisions against victimisation.

9. If any person against whom a complaint has been made under the principal Act unreasonably refuses to sell or to offer for sale to the complainant any article which is exposed or offered by him for sale, and to which section one of the principal Act has been applied by order of the Board of Trade, he shall, on conviction by a court of summary jurisdiction, be liable to the like penalties as in the case of failure to comply with an order under section one of the principal Act.

Short title, construction, and duration.

10.—(1) This Act may be cited as the Profiteering (Amendment) Act, 1920; and the Profiteering Acts, 1919, and this Act may be cited together as the Profiteering Acts, 1919 and 1920.

(2) This Act shall be construed as one with the principal Act :

Provided that the limit on the expenses of the Board of Trade payable out of moneys provided by Parliament under that Act shall not apply to expenses incurred after the date of the passing of this Act, so, however, that the expenses so payable after that date shall not exceed one hundred and twenty thousand pounds.

(3) The principal Act shall be deemed to have continued in force until the date of the passing of this Act, and the principal Act as amended by this Act shall continue in force until the nineteenth day of May nineteen hundred and twenty-one.

SCHEDULE.

Section 4.

AMENDMENTS.

Enactment Amended.	Amendments to be made.
S. 1 (1)	For the words " to which this Act applies " there shall be substituted the words " to which this section is applied " and at the end of paragraph (*b*) there shall be inserted the words " and on the investigation of any such complaint " they may, by order, require any person to appear " before them and to furnish such information and " produce such documents as they may require."
S. 1 (3)	For the word " section " there shall be substituted the word " Act," and for the words " on summary conviction " there shall be substituted the words " on conviction by a court of summary jurisdiction."
S. 1 (4)	For the words " on summary conviction " there shall be substituted the words " on conviction by a court of summary jurisdiction "
S. 1 (7)	For subsection (7) the following subsection shall be substituted :— " This section applies to any article or class of articles " to which it is applied by order of the Board of Trade, " being an article or class of articles declared by the " order to be one of a kind in common use by the public, " or being material, machinery, or accessories used in " the production thereof, but this section does not apply " to transactions the price in respect of which is from " time to time declared by a Government Department " to be controlled."
S. 4 - -	For the words " to which this Act applies " there shall be substituted the words " to which section one of this Act " is for the time being applied by order of the Board " of Trade."
S 7 (3) -	At the beginning there shall be inserted the words " Notwithstanding any provision in any other Act to the " contrary."

CHAPTER 14.

An Act to make further provision for the temporary modification of the charges which may be made in respect of and the obligations affecting Tramway Undertakings. [20th May 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Amendment of s. 1 of 8 & 9 Geo. 5. c. 34. in its application to tramways.

1.—(1) The limitations contained in the proviso to subsection (1) of section one of the Statutory Undertakings (Temporary Increase of Charges) Act, 1918 (hereinafter referred to as the principal Act), shall not apply in the case of orders made after the passing of this Act by the Minister of Transport in relation to tramway undertakings, but in lieu thereof the following limitations shall apply :—

(*a*) Where the undertakers are a local authority, no modification in the statutory provisions regulating the charges to be made by the undertakers shall be authorised which is more than sufficient, so far as can be estimated, to enable the undertaking to be carried on without loss; and

(*b*) In any other case, no such modification shall be authorised which is more than sufficient to provide, with due care and management, for interest on loan capital and for a reasonable return on share capital, regard being had to the pre-war financial condition of the company, and its prospective development.

(2) An order authorising any increase in the statutory maximum charges applicable to a tramway undertaking may attach such conditions thereto as the Minister may think proper, and may modify any statutory provisions, and the provisions of any agreement, whether or not confirmed by an Act or order having the force of an Act, which impose obligations on the undertakers as to the frequency of any tramway service.

(3) Before making an order in pursuance of the powers conferred by the principal Act as amended by this Act the Minister shall refer the matter to the advisory committee hereinafter constituted for their consideration and report :

Provided that, if in the case of any tramway undertaking it appears to the Minister that there is ground for making an order and that the case is one of urgency, he may, without any such reference and without any such notices as are required by the principal Act, make an interim order increasing the statutory maximum charges by such amount, not exceeding one hundred per cent., and subject to such conditions, as he thinks proper;

but an interim order shall not remain in force more than six months, and, where any interim order is made, the Minister shall forthwith refer the matter to the advisory committee.

(4) The charges authorised by any order made under the principal Act as amended by this Act may be charged notwithstanding any statutory provisions or any agreement whether or not confirmed by an Act or order having the force of an Act.

(5) If at any time it appears to the Minister of Transport that, owing to changes in the cost of labour or materials or other circumstances affecting a tramway undertaking with respect to which an order has been made, the powers of charging effected by the order are insufficient or excessive for the purposes aforesaid, the Minister may, and, if representations to that effect are made to him by the undertakers or by the local authority of any district served by the tramway, or in case where the local authority are the undertakers by twenty ratepayers in the district, he shall refer the matter to the advisory committee hereinafter constituted, and may, after considering any report of the committee, make an order revising the powers of charging so authorised as aforesaid; so, however, that revised maximum charges shall not in any case be less than the statutory maximum charges applicable to the undertaking.

Advisory committee.

2.—(1) For the purpose of giving advice and assistance to the Minister of Transport with respect to the making of orders in relation to tramway undertakings and for safeguarding the interests of users of tramways, a committee shall be constituted consisting of the Light Railway Commissioners and such members of the panel set up under section twenty-three of the Ministry of Transport Act, 1919, as the Ministry may appoint for the purpose, and such member as the Minister may appoint shall be chairman of the committee, and the committee, if so authorised by the Minister of Transport, may delegate to sub-committees thereof any of its powers and duties under this Act.

9 & 10 Geo. 5. c. 50.

(2) The committee, before reporting or advising on any matters referred to them under this Act shall, unless in their discretion they consider it unnecessary or undesirable to do so, give such public notice as they think best adapted for informing persons affected of the date when and the place where they will inquire into the matter, and any person affected may make representations to the committee, and, unless in their discretion the committee consider it unnecessary, shall be heard at such inquiry, and, if the committee in their discretion think fit, the whole or any part of the proceedings at such inquiry may be open to the public:

Provided that, for the purpose of this provision, the council of any city, borough, burgh, county, or district shall be deemed to be persons affected in any case where such council or any

persons represented by them may be affected by any proposed order.

(3) The committee shall hear such witnesses and call for such documents and accounts as they think fit, and shall have power to take evidence on oath, and for that purpose any member of the committee may administer oaths.

Supplemental provisions.

3.—(1) The Minister of Transport may, for the purposes of this Act, employ such accountants as he may think fit, and it shall be the duty of tramway undertakers to furnish to any such accountant such information and to produce to him such accounts and books as he may require for the purpose of reporting to the Minister or the Advisory Committee as to the financial position of the undertaking.

(2) The costs incurred by the Minister in connection with any application for an order under this Act, including the remuneration of any such accountant, shall be paid by the undertakers, and the Minister of Transport may certify the amount of the costs incurred, and any sum so certified and directed by the Minister to be paid by the undertakers shall be a debt to the Crown from those undertakers.

(3) For determining the cost of labour for the purposes of this Act, the Minister of Labour shall, at the request of the Minister of Transport, certify what are the rates of wages which have been fixed either by the National Joint Industrial Council for the tramway industry or by an award under the Industrial Courts Act, 1919.

9 & 10 Geo. 5. c. 69.

(4) For the purposes of this Act, statutory maximum charges shall not include any charges authorised by an order under the principal Act or this Act.

(5) For the purposes of this Act, the word "tramway" shall include light railways constructed wholly or mainly on public roads, and, where a tramway undertaking is leased to or worked by a company or person other than the owners thereof, "undertakers" shall, for the purposes of the principal Act and this Act, include that company or person, and, where a tramway undertaking is leased to or worked by a company or person other than the owners thereof, "undertakers" shall, for the purposes of the principal Act and this Act, include that company or person.

Short title, construction, and duration.

4.—(1) This Act may be cited as the Tramways (Temporary Increase of Charges) Act, 1920, and shall be construed as one with the principal Act.

(2) Notwithstanding anything in the principal Act, that Act as amended by this Act shall, in relation to tramway undertakings, have effect until the fifteenth day of February nineteen hundred and twenty-three.

CHAPTER 15.

An Act to remove doubts as to the interpretation of subsection (4) of section five of the Representation of the People Act, 1918. [2nd July 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of s. 5 (4) of 8 Geo. 5. c. 64.

1. For the removal of doubts, it is hereby declared that—

(*a*) a person who, by virtue of subsection (4) of section five of the Representation of the People Act, 1918, has at any time become entitled, as a male naval or military voter serving or having served in or in connection with the war, to be registered as a parliamentary elector before attaining full age, continues to be entitled, if otherwise qualified, to be registered as a parliamentary elector before attaining full age, notwithstanding that the service which brings him within the provisions of that section has ceased; and

(*b*) the expression "service" in the said subsection (4) means service in or in connection with the war.

Short title.

2. This Act may be cited as the Representation of the People Act, 1920, and the Representation of the People Acts, 1918 and 1919, and this Act may be cited together as the Representation of the People Acts, 1918 to 1920.

CHAPTER 16.

An Act to make provision for the management of the Imperial War Museum and for other purposes connected therewith. [2nd July 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment and constitution of Board of Trustees of Imperial War Museum.

1.—(1) For the purpose of managing the Imperial War Museum (in this Act referred to as "the Museum"), and for the other purposes of this Act, there shall be established a Board of Trustees (in this Act referred to as "the Board"), which shall be a body corporate by the name of "The Trustees of the Imperial War Museum," with perpetual succession and a common seal, and power to acquire and hold land without licence in mortmain.

(2) The Board shall be constituted and their proceedings shall be determined in accordance with the provisions contained in the Schedule to this Act.

(3) The seal of the Board shall be authenticated in the prescribed manner, and any document purporting to be sealed with the said seal so authenticated shall be receivable in evidence of the particulars so stated in that document.

Powers and duties of Board.

2. The Board shall have the general management and control of the Museum, and for that purpose may—

(*a*) make such rules as they think necessary for securing the due administration of the Museum and preserving the objects collected therein, including rules requiring payment to be made for admission to the Museum;

(*b*) with the consent of the Treasury, acquire land for the purposes of the Museum and sell any land vested in them which is not required for that purpose;

(*c*) exchange, sell, or otherwise dispose of any duplicate objects belonging to the Museum, and with the consent of the Treasury exchange, sell, or otherwise dispose of any objects belonging to the Museum which the Board consider unfit to be preserved or not to be required for the purposes thereof;

(*d*) subject to the consent of the Treasury, apply any money received by them on the exchange, sale, or disposal of any objects, or on the sale of any land, or by way of payment for admission to the Museum, or by way of gift or grant or otherwise, in the purchase of any object which in the opinion of the Board it is desirable to acquire for the Museum or otherwise in defraying any of the expenses of the Board;

(*e*) on such terms and subject to such conditions as the Board think fit, lend any objects belonging to the Museum to any gallery, museum, or exhibition approved for the purposes of this provision by the Treasury;

(*f*) subject to the consent of the Treasury, appoint officers on such terms and subject to such conditions as the Board think fit;

(*g*) subject to the provisions of this Act, do such other things as appear to them necessary or expedient for furthering the interests and increasing the utility of the Museum.

Vesting in Board of objects given to, acquired for, or transferred to Museum.

3.—(1) All objects given, bequeathed, or otherwise acquired for the purposes of the Museum at any time before the date on which the Board is first constituted, and not disposed of before that date, shall by virtue of this Act vest in the Board, and all objects which are at any subsequent time expressly given or bequeathed to the public, or to the nation, or to the Board for

the purposes of the Museum, or given or bequeathed by words showing an intention that the gifts should enure to or for the benefit of the Museum, or which are acquired by purchase or otherwise for the purposes of the Museum, shall vest in the Board and be held by the Board for the purposes of the Museum.

(2) Where it appears to the Trustees of the British Museum, the Trustees of the National Gallery, or the Board of Education, that any pictures or objects vested in them respectively would more properly form part of the Museum, the Trustees of the British Museum, the Trustees of the National Gallery, or the Board of Education, as the case may be, may, with the consent of the Treasury, transfer those pictures or objects to the Museum, and any pictures or objects so transferred shall vest in the Board and be held by the Board for the purposes of the Museum. The Trustees of the British Museum, the Trustees of the National Gallery, or the Board of Education may at any time, and on such terms, and subject to such conditions as they think fit, lend to the Museum any pictures or other objects vested in them respectively.

Staff and expenses.

4.—(1) There shall be a Director-General of the Museum and a Curator of the Museum who, subject as hereinafter provided, shall be appointed by the Treasury and shall hold office on such terms and subject to such conditions as the Treasury may direct;

Provided that the first Director-General and the first Curator shall respectively be the person acting as Director-General and the person acting as Curator of the Museum at the date of the commencement of this Act, and each of those persons shall continue to hold his office on the terms and subject to the conditions on and subject to which he held the office at that date.

(2) The Director-General shall, subject to the directions of the Board, be responsible generally for the management of the Museum, and the Curator shall, subject to the control and direction of the Director-General, be charged with the care of the Museum and of the objects collected there.

(3) The Curator shall act as secretary to the Board.

(4) There shall be paid to the Director-General, the Curator, and any officers of the Board such salaries or remuneration as the Treasury may from time to time determine.

(5) Any expenses incurred by the Board in carrying this Act into effect, including any salaries or remuneration paid to the Director-General, the Curator, or any officers of the Board, shall be defrayed out of moneys provided by Parliament.

Exemption of Museum from Charitable Trusts Acts.

5. The provisions of the Charitable Trusts Acts, 1853 to 1914, shall not apply to the Museum.

Short title and interpretation.

6.—(1) This Act may be cited as the Imperial War Museum Act, 1920.

(2) In this Act the expression "Imperial War Museum" means the institution established in the year nineteen hundred and seventeen under the name of "the National War Museum" and known at the date of the passing of this Act by the name of the Imperial War Museum, and includes all collections, galleries and museums, wherever situate, which from time to time form or are administered as part of the Imperial War Museum.

SCHEDULE.

Section 1. CONSTITUTION AND PROCEEDINGS OF BOARD OF TRUSTEES.

(1) The Board shall consist of a President and twenty-four other members, of whom seventeen shall be appointed members and seven ex-officio members.

Of the appointed members—

(*a*) eleven shall be persons appointed by the Treasury;
(*b*) one shall be a person appointed by the Admiralty;
(*c*) one shall be a person appointed by the Secretary of State for War;
(*d*) one shall be a person appointed by the Secretary of State for the Colonies;
(*e*) one shall be a person appointed by the Secretary of State for India;
(*f*) one shall be a person appointed by the Board of Education;
(*g*) one shall be a person appointed by the Secretary of State for Air.

The ex-officio members shall consist of the following persons:—

The First Commissioner of Works;
The Director and Principal Librarian of the British Museum;
The High Commissioner for the Dominion of Canada;
The High Commissioner for the Commonwealth of Australia;
The High Commissioner for the Dominion of New Zealand;
The High Commissioner for the Union of South Africa;
The High Commissioner for Newfoundland.

(2) His Royal Highness the Prince of Wales shall be the first President of the Board, and any subsequent President shall be such person as His Majesty shall nominate in that behalf.

(3) The appointed members of the Board shall hold office for such time as may be specified in their respective appointments.

(4) If any vacancy occurs by death, resignation, effluxion of time, or otherwise, in the office of any appointed member of the Board, the vacancy shall be filled by appointment by the person by whom that member was appointed, and any person appointed to fill a casual vacancy shall hold office so long only as the member in whose place he is appointed would have held office.

(5) Any person ceasing to be an appointed member of the Board shall be eligible for re-appointment.

(6) The powers of the Board may be exercised notwithstanding any vacancy in their number.

(7) The Board may appoint a member of the Board to be Vice-President of the Board, and in the absence of the President the Vice-President shall preside at meetings of the Board.

(8) The Board may, with the consent of the Treasury, make rules—

(*a*) for regulating the proceedings (including quorum) of the Board; and

(*b*) for enabling the Board to constitute committees and to include as members of committees persons who are not members of the Board; and

(*c*) for authorising the delegation to committees of all or any of the powers of the Board (other than the power to buy or sell land) and for regulating the proceedings (including quorum) of committees.

CHAPTER 17.

An Act to consolidate and amend the Law with respect to the increase of rent and recovery of possession of premises in certain cases, and the increase of the rate of interest on, and the calling in of securities on such premises, and for purposes in connection therewith. [2nd July 1920.]

BE *it enacted* by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Restrictions on Increase of Rent and Mortgage Interest.

Restriction on increasing rent and mortgage interest.

1. Subject to the provisions of this Act, where the rent of any dwelling-house to which this Act applies, or the rate of interest on a mortgage to which this Act applies, has been, since the twenty-fifth day of March nineteen hundred and twenty, or is hereafter, increased, then, if the increased rent or the increased rate of interest exceeds by more than the amount permitted under this Act the standard rent or standard rate of interest, the amount of such excess shall, notwithstanding any agreement to the contrary, be irrecoverable from the tenant or the mortgagor; as the case may be:

Provided that, where a landlord or mortgagee has increased the rent of any such dwelling-house or the rate of interest on any such mortgage since the said date, but before the passing of this Act, he may cancel such increase and repay any amount paid by virtue thereof, and in that case the rent or rate shall not be deemed to have been increased since that date.

Permitted increases in rent.

2.—(1) The amount by which the increased rent of a dwelling-house to which this Act applies may exceed the

standard rent shall, subject to the provisions of this Act, be as follows, that is to say:—

(*a*) Where the landlord has since the fourth day of August nineteen hundred and fourteen incurred, or hereafter incurs, expenditure on the improvement or structural alteration of the dwelling-house (not including expenditure on decoration or repairs), an amount calculated at a rate per annum not exceeding six, or, in the case of such expenditure incurred after the passing of this Act, eight per cent. of the amount so expended:

Provided that the tenant may apply to the county court for an order suspending or reducing such increase on the ground that such expenditure is or was unnecessary in whole or in part, and the court may make an order accordingly:

(*b*) An amount not exceeding any increase in the amount for the time being payable by the landlord in respect of rates over the corresponding amount paid in respect of the yearly, half-yearly or other period which included the third day of August nineteen hundred and fourteen, or in the case of a dwelling-house for which no rates were payable in respect of any period which included the said date, the period which included the date on which the rates first became payable thereafter:

(*c*) In addition to any such amounts as aforesaid, an amount not exceeding fifteen per centum of the net rent:

Provided that, except in the case of a dwelling-house to which this Act applies but the enactments repealed by this Act did not apply, the amount of such addition shall not, during a period of one year after the passing of this Act, exceed five per cent.:

(*d*) In further addition to any such amounts as aforesaid—

(i) where the landlord is responsible for the whole of the repairs, an amount not exceeding twenty-five per cent. of the net rent; or

(ii) where the landlord is responsible for part and not the whole of the repairs, such lesser amount as may be agreed, or as may, on the application of the landlord or the tenant, be determined by the county court to be fair and reasonable having regard to such liability:

(*e*) In the case of dwelling-houses let by a railway company to persons in the employment of the company, such additional amount, if any, as is required in order to give effect to the agreement dated the first day of March nineteen hundred and twenty, relating to the rates of pay and conditions of employment of certain persons in the employment of railway companies, or

any agreement, whether made before or after the passing of this Act, extending or modifying that agreement.

(2) At any time or times, not being less than three months after the date of any increase permitted by paragraph (*d*) of the foregoing subsection, the tenant or the sanitary authority may apply to the county court for an order suspending such increase, and also any increase under paragraph (*c*) of that subsection, on the ground that the house is not in all respects reasonably fit for human habitation, or is otherwise not in a reasonable state of repair.

The court on being satisfied by the production of a certificate of the sanitary authority or otherwise that any such ground as aforesaid is established, and on being further satisfied that the condition of the house is not due to the tenant's neglect or default or breach of express agreement, shall order that the increase be suspended until the court is satisfied, on the report of the sanitary authority or otherwise, that the necessary repairs (other than the repairs, if any, for which the tenant is liable) have been executed, and on the making of such order the increase shall cease to have effect until the court is so satisfied.

(3) Any transfer to a tenant of any burden or liability previously borne by the landlord shall, for the purposes of this Act, be treated as an alteration of rent, and where, as the result of such a transfer, the terms on which a dwelling-house is held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased, whether or not the sum periodically payable by way of rent is increased, and any increase of rent in respect of any transfer to a landlord of any burden or liability previously borne by the tenant where, as the result of such transfer, the terms on which any dwelling-house is held are on the whole not less favourable to the tenant than the previous terms, shall be deemed not to be an increase of rent for the purposes of this Act: Provided that, for the purposes of this section, the rent shall not be deemed to be increased where the liability for rates is transferred from the landlord to the tenant, if a corresponding reduction is made in the rent.

(4) On any application to a sanitary authority for a certificate or report under this section a fee of one shilling shall be payable, but, if the authority as the result of such application issues such a certificate as aforesaid, the tenant shall be entitled to deduct the fee from any subsequent payment of rent.

(5) For the purposes of this section, the expression "repairs" means any repairs required for the purpose of keeping premises in good and tenantable repair, and any premises in such a state shall be deemed to be in a reasonable state of repair, and the landlord shall be deemed to be responsible for any repairs for which the tenant is under no express liability.

(6) Any question arising under subsection (1), (2) or (3) of this section shall be determined on the application either of the landlord or the tenant by the county court, and the decision of the court shall be final and conclusive.

Limitation as to permitted increases in rent.

3.—(1) Nothing in this Act shall be taken to authorise any increase of rent except in respect of a period during which but for this Act the landlord would be entitled to obtain possession, or any increase in the rate of interest on a mortgage except in respect of a period during which, but for this Act, the security could be enforced.

(2) Notwithstanding any agreement to the contrary, where the rent of any dwelling-house to which this Act applies is increased, no such increase shall be due or recoverable until or in respect of any period prior to the expiry of four clear weeks, or, where such increase is on account of an increase in rates, one clear week, after the landlord has served upon the tenant a valid notice in writing of his intention to increase the rent, which notice shall be in the form contained in the First Schedule to this Act, or in a form substantially to the same effect. If a notice served as aforesaid contains any statement or representation which is false or misleading in any material respect, the landlord shall be liable on summary conviction to a fine not exceeding ten pounds unless he proves that the statement was made innocently and without intent to deceive. Where a notice of an increase of rent which at the time was valid has been served on any tenant, the increase may be continued without service of any fresh notice on any subsequent tenant.

(3) A notice served before the passing of this Act of an intention to make any increase of rent which is permissible only by virtue of this Act shall not be deemed to be a valid notice for the purpose of this section.

Permitted increase in rate of mortgage interest.

4. The amount by which the increased rate of interest payable in respect of a mortgage to which this Act applies may exceed the standard rate, shall be an amount not exceeding one per cent. per annum:

Provided that—

(*a*) the rate shall not be increased so as to exceed six and a half per cent. per annum; and

(*b*) except in the case of a dwelling-house to which this Act applies but the enactments repealed by this Act did not apply, the increase during a period of one year after the passing of this Act shall not exceed one-half per cent. per annum.

Further Restrictions and Obligations on Landlords and Mortgagees.

Restriction on right to possession.

5.—(1) No order or judgment for the recovery of possession of any dwelling-house to which this Act applies, or for the

ejectment of a tenant therefrom, shall be made or given unless—

(*a*) any rent lawfully due from the tenant has not been paid, or any other obligation of the tenancy (whether under the contract of tenancy or under this Act) so far as the same is consistent with the provisions of this Act has been broken or not performed ; or

(*b*) the tenant or any person residing with him has been guilty of conduct which is a nuisance or annoyance to adjoining occupiers, or has been convicted of using the premises or allowing the premises to be used for an immoral or illegal purpose, or the condition of the dwelling-house has, in the opinion of the court, deteriorated owing to acts of waste by or the neglect or default of the tenant or any such person ; or

(*c*) the tenant has given notice to quit, and in consequence of that notice the landlord has contracted to sell or let the dwelling-house or has taken any other steps as a result of which he would, in the opinion of the court, be seriously prejudiced if he could not obtain possession ; or

(*d*) the dwelling-house is reasonably required by the landlord for occupation as a residence for himself, or for any person bonâ fide residing or to reside with him, or for some person in his whole time employment or in the whole time employment of some tenant from him, and (except as otherwise provided by this subsection) the court is satisfied that alternative accommodation, reasonably equivalent as regards rent and suitability, in all respects, is available ; or

(*e*) the landlord is a local authority or a statutory undertaking and the dwelling-house is reasonably required for the purpose of the execution of the statutory duties or powers of the authority or undertaking, and the court is satisfied as aforesaid as respects alternative accommodation ; or

(*f*) the landlord became the landlord after service in any of His Majesty's forces during the war and requires the house for his personal occupation and offers the tenant accommodation on reasonable terms in the same dwelling-house, such accommodation being considered by the court as reasonably sufficient in the circumstances ; or

(*g*) the dwelling-house is required for occupation as a residence by a former tenant thereof who gave up occupation in consequence of his service in any of His Majesty's forces during the war ;

and, in any such case as aforesaid, the court considers it reasonable to make such an order or give such judgment.

The existence of alternative accommodation shall not be a condition of an order or judgment on any of the grounds specified in paragraph (*d*) of this subsection—

(i) where the tenant was in the employment of the landlord or a former landlord, and the dwelling-house was let to him in consequence of that employment and he has ceased to be in that employment; or

(ii) where the court is satisfied by a certificate of the county agricultural committee, or of the Minister of Agriculture and Fisheries pending the formation of such committee, that the dwelling-house is required by the landlord for the occupation of a person engaged on work necessary for the proper working of an agricultural holding; or

(iii) where the landlord gave up the occupation of the dwelling-house in consequence of his service in any of His Majesty's forces during the war; or

(iv) where the landlord became the landlord before the thirtieth day of September nineteen hundred and seventeen, or, in the case of a dwelling-house to which section four of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1919, applied, became the landlord before the fifth day of March nineteen hundred and nineteen, or in the case of a dwelling-house to which this Act applies but the enactments repealed by this Act did not apply, became the landlord before the twentieth day of May nineteen hundred and twenty, and in the opinion of the court greater hardship would be caused by refusing an order for possession than by granting it.

8 & 9 Geo. 5. c. 7.

(2) At the time of the application for or the making or giving of any order or judgment for the recovery of possession of any such dwelling-house, or for the ejectment of a tenant therefrom, or in the case of any such order or judgment which has been made or given, whether before or after the passing of this Act, and not executed, at any subsequent time, the court may adjourn the application, or stay or suspend execution on any such order or judgment, or postpone the date of possession, for such period or periods as it thinks fit, and subject to such conditions (if any) in regard to payment by the tenant of arrears of rent, rent, or mesne profits and otherwise as the court thinks fit, and, if such conditions are complied with, the court may, if it thinks fit, discharge or rescind any such order or judgment.

(3) Where any order or judgment has been made or given before the passing of this Act, but not executed, and, in the opinion of the court, the order or judgment would not have been

made or given if this Act had been in force at the time when such order or judgment was made or given, the court may, on application by the tenant, rescind or vary such order or judgment in such manner as the court may think fit for the purpose of giving effect to this Act.

(4) Notwithstanding anything in section one hundred and forty-three of the County Courts Act, 1888, or in section one of the Small Tenements Recovery Act, 1838, every warrant for delivery of possession of, or to enter and give possession of, any dwelling-house to which this Act applies, shall remain in force for three months from the day next after the last day named in the judgment or order for delivery of possession or ejectment, or, in the case of a warrant under the Small Tenements Recovery Act, 1838, from the date of the issue of the warrant, and in either case for such further period or periods, if any, as the court shall from time to time, whether before or after the expiration of such three months, direct. 51 & 52 Vict. c. 43. 1 & 2 Vict. c. 74.

(5) An order or judgment against a tenant for the recovery of possession of any dwelling-house or ejectment therefrom under this section shall not affect the right of any sub-tenant to whom the premises or any part thereof have been lawfully sublet before proceedings for recovery of possession or ejectment were commenced, to retain possession under this section, or be in any way operative against any such sub-tenant.

(6) Where a landlord has obtained an order or judgment for possession or ejectment under this section on the ground that he requires a dwelling-house for his own occupation, and it is subsequently made to appear to the court that the order was obtained by misrepresentation or the concealment of material facts, the court may order the landlord to pay to the former tenant such sum as appears sufficient as compensation for damage or loss sustained by that tenant as the result of the order or judgment.

Restriction on levy of distress for rent.

6. No distress for the rent of any dwelling-house to which this Act applies shall be levied except with the leave of the county court, and the court shall, with respect to any application for such leave, have the same or similar powers with respect to adjournment, stay, suspension, postponement and otherwise as are conferred by the last preceding section of this Act in relation to applications for the recovery of possession:

Provided that this section shall not apply to distress levied under section one hundred and sixty of the County Courts Act, 1888.

The provisions of this section shall be in addition to and not in derogation of any of the provisions of the Courts (Emergency Powers) Act, 1914, or any Act amending or extending the same, except so far as those provisions are repealed by this Act. 4 & 5 Geo. 5. c. 78.

Restriction on calling in of mortgages.

7. It shall not be lawful for any mortgagee under a mortgage to which this Act applies, so long as—

(*a*) interest at the rate permitted under this Act is paid and is not more than twenty-one days in arrear; and

(*b*) the covenants by the mortgagor (other than the covenant for the repayment of the principal money secured) are performed and observed; and

(*c*) the mortgagor keeps the property in a proper state of repair and pays all interest and instalments of principal recoverable under any prior encumbrance,

to call in his mortgage or to take any steps for exercising any right of foreclosure or sale, or for otherwise enforcing his security or for recovering the principal money thereby secured:

Provided that—

(i) this provision shall not apply to a mortgage where the principal money secured thereby is repayable by means of periodical instalments extending over a term of not less than ten years from the creation of the mortgage, nor shall this provision affect any power of sale exerciseable by a mortgagee who was on the twenty-fifth day of March nineteen hundred and twenty a mortgagee in possession, or in cases where the mortgagor consents to the exercise by the mortgagee of the powers conferred by the mortgage; and

(ii) if, in the case of a mortgage of a leasehold interest the mortgagee satisfies the county court that his security is seriously diminishing in value or is otherwise in jeopardy, and that for that reason it is reasonable that the mortgage should be called in and enforced, the court may by order authorise him to call in and enforce the same, and thereupon this section shall not apply to such mortgage; but any such order may be made subject to a condition that it shall not take effect if the mortgagor within such time as the court directs pays to the mortgagee such portion of the principal sum secured as appears to the court to correspond to the diminution of the security.

Restriction on premiums.

8.—(1) A person shall not, as a condition of the grant, renewal, or continuance of a tenancy or sub-tenancy of any dwelling house to which this Act applies, require the payment of any fine, premium, or other like sum, or the giving of any pecuniary consideration, in addition to the rent, and, where any such payment or consideration has been made or given in respect of any such dwelling-house under an agreement made after the twenty-fifth day of March nineteen hundred and twenty, the

amount or value thereof shall be recoverable by the person by whom it was made or given:

Provided that, where any agreement has been made since the said date but before the passing of this Act for the tenancy of a house to which this Act applies, but the enactments repealed by this Act did not apply, and the agreement includes provision for the payment of any fine, premium, or other like sum, or the giving of any pecuniary consideration in addition to the rent, that agreement shall, without prejudice to the operation of this section, be voidable at the option of either party thereto.

(2) A person requiring any payment or the giving of any consideration in contravention of this section shall be liable on summary conviction to a fine not exceeding one hundred pounds, and the court by which he is convicted may order the amount paid or the value of the consideration to be repaid to the person by whom the same was made or given, but such order shall be in lieu of any other method of recovery prescribed by this Act.

(3) This section shall not apply to the grant, renewal or continuance for a term of fourteen years or upwards of any tenancy.

Limitation on rent of houses let furnished.

9.—(1) Where any person lets, or has, before the passing of this Act, let any dwelling-house to which this Act applies, or any part thereof, at a rent which includes payment in respect of the use of furniture, and it is proved to the satisfaction of the county court on the application of the lessee that the rent charged is yielding or will yield to the lessor a profit more than twenty-five per cent. in excess of the normal profit as hereinafter defined, the court may order that the rent, so far as it exceeds such sum as would yield such normal profit and twenty-five per cent. shall be irrecoverable, and that the amount of any payment of rent in excess of such sum which may have been made in respect of any period after the passing of this Act, shall be repaid to the lessee.

(2) For the purpose of this section, "normal profit" means the profit which might reasonably have been expected from a similar letting in the year ending on the third day of August nineteen hundred and fourteen.

Penalty for excessive charges for furnished lettings.

10. Where any person after the passing of this Act lets any dwelling-house to which this Act applies or any part thereof at a rent which includes payment in respect of the use of furniture, and the rent charged yields to the lessor a profit which, having regard to all the circumstances of the case, and in particular to the margin of profit allowed under the last preceding section of this Act, is extortionate, then, without prejudice to any other remedy under this Act, the lessor shall be liable on summary conviction to a fine not exceeding one hundred pounds, and the court by which he is convicted may

order that the rent so far as it exceeds the amount permitted by the last preceding section of this Act shall be irrecoverable and that the amount of any such excess shall be repaid to the lessee, but any such order shall be in lieu of any other method of recovery prescribed by this Act.

Statement to be supplied as to standard rent.

11. A landlord of any dwelling-house to which this Act applies shall, on being so requested in writing by the tenant of the dwelling-house, supply him with a statement in writing as to what is the standard rent of the dwelling-house, and if, without reasonable excuse, he fails within fourteen days to do so, or supplies a statement which is false in any material particular, he shall be liable on summary conviction to a fine not exceeding ten pounds.

Application and Interpretation of Act.

Application and interpretation.

12.—(1) For the purposes of this Act, except where the context otherwise requires:—

(*a*) The expression "standard rent" means the rent at which the dwelling-house was let on the third day of August nineteen hundred and fourteen, or, where the dwelling-house was not let on that date, the rent at which it was last let before that date, or, in the case of a dwelling-house which was first let after the said third day of August, the rent at which it was first let:

Provided that, in the case of any dwelling-house let at a progressive rent payable under a tenancy agreement or lease, the maximum rent payable under such tenancy agreement or lease shall be the standard rent; and, where at the date by reference to which the standard rent is calculated, the rent was less than the rateable value the rateable value at that date shall be the standard rent;

(*b*) The expression "standard rate of interest" means, in the case of a mortgage in force on the third day of August nineteen hundred and fourteen, the rate of interest payable at that date, or, in the case of a mortgage created since that date, the original rate of interest;

(*c*) The expression "net rent" means, where the landlord at the time by reference to which the standard rent is calculated paid the rates chargeable on, or which but for the provisions of any Act would be chargeable on the occupier, the standard rent less the amount of such rates, and in any other case the standard rent;

(*d*) The expression "rates" includes water rents and charges, and any increase in rates payable by a landlord shall be deemed to be payable by him until the rate is next demanded;

(*e*) The expression "rateable value" means the rateable value on the third day of August nineteen hundred and fourteen, or, in the case of a dwelling-house or a part of dwelling-house first assessed after that date, the rateable value at which it was first assessed;

(*f*) The expressions "landlord," "tenant," "mortgagee," and "mortgagor" include any person from time to time deriving title under the original landlord, tenant, mortgagee, or mortgagor;

(*g*) The expression "landlord" also includes in relation to any dwelling-house any person, other than the tenant, who is or would but for this Act be entitled to possession of the dwelling-house, and the expressions "tenant and tenancy" include sub-tenant and sub-tenancy, and the expression "let" includes sub-let; and the expression "tenant" includes the widow of a tenant dying intestate who was residing with him at the time of his death, or, where a tenant dying intestate leaves no widow or is a woman, such member of the tenant's family so residing as aforesaid as may be decided in default of agreement by the county court;

(*h*) The expression "mortgage" includes a land charge under the Land Transfer Acts, 1875 and 1897; 38 & 39 Vict. c. 87.

(*i*) The expressions "statutory undertaking" and "statutory duties or powers" include any undertaking, duties or powers, established, imposed or exercised under any order having the force of an Act of Parliament. 60 & 61 Vict. c. 65.

(2) This Act shall apply to a house or a part of a house let as a separate dwelling, where either the annual amount of the standard rent or the rateable value does not exceed—

(*a*) in the metropolitan police district, including therein the City of London, one hundred and five pounds;

(*b*) in Scotland, ninety pounds; and

(*c*) elsewhere, seventy-eight pounds;

and every such house or part of a house shall be deemed to be a dwelling-house to which this Act applies:

Provided that—

(i) this Act shall not, save as otherwise expressly provided, apply to a dwelling-house bonâ fide let at a rent which includes payments in respect of board, attendance, or use of furniture; and

(ii) the application of this Act to any house or part of a house shall not be excluded by reason only that

part of the premises is used as a shop or office or for business, trade, or professional purposes; and

(iii) for the purposes of this Act, any land or premises let together with a house shall, if the rateable value of the land or premises let separately would be less than one quarter of the rateable value of the house, be treated as part of the house, but, subject to this provision, this Act shall not apply to a house let together with land other than the site of the house.

(3) Where, for the purpose of determining the standard rent or rateable value of any dwelling-house to which this Act applies, it is necessary to apportion the rent at the date in relation to which the standard rent is to be fixed, or the rateable value of the property in which that dwelling-house is comprised, the county court may, on application by either party, make such apportionment as seems just, and the decision of the court as to the amount to be apportioned to the dwelling-house shall be final and conclusive.

(4) Subject to the provisions of this Act, this Act shall apply to every mortgage where the mortgaged property consists of or comprises one or more dwelling-houses to which this Act applies, or any interest therein, except that it shall not apply—

(*a*) to any mortgage comprising one or more dwelling-houses to which this Act applies and other land if the rateable value of such dwelling-houses is less than one-tenth of the rateable value of the whole of the land comprised in the mortgage; or

(*b*) to an equitable charge by deposit of title deeds or otherwise; or

(*c*) to any mortgage which is created after the passing of this Act.

(5) When a mortgage comprises one or more dwelling-houses to which this Act applies and other land, and the rateable value of such dwelling-houses is more than one-tenth of the rateable value of the whole of the land comprised in the mortgage, the mortgagee may apportion the principal money secured by the mortgage between such dwelling-houses and such other land by giving one calendar month's notice in writing to the mortgagor, such notice to state the particulars of such apportionment, and at the expiration of the said calendar month's notice this Act shall not apply to the mortgage so far as it relates to such other land, and for all purposes, including the mortgagor's right of redemption, the said mortgage shall operate as if it were a separate mortgage for the respective portions of the said principal money secured by the said dwelling-houses and such other land, respectively, to which such portions were apportioned:

Provided that the mortgagor shall, before the expiration of the said calendar month's notice, be entitled to dispute the amounts so apportioned as aforesaid, and in default of agreement the matter shall be determined by a single arbitrator appointed by the President of the Surveyors' Institution.

(6) Where this Act has become applicable to any dwelling-house or any mortgage thereon, it shall continue to apply thereto whether or not the dwelling-house continues to be one to which this Act applies.

(7) Where the rent payable in respect of any tenancy of any dwelling-house is less than two-thirds of the rateable value thereof, this Act shall not apply to that rent or tenancy nor to any mortgage by the landlord from whom the tenancy is held of his interest in the dwelling-house, and this Act shall apply in respect of such dwelling-house as if no such tenancy existed or ever had existed.

(8) Any rooms in a dwelling-house subject to a separate letting wholly or partly as a dwelling shall, for the purposes of this Act, be treated as a part of a dwelling-house let as a separate dwelling.

(9) This Act shall not apply to a dwelling-house erected after or in course of erection on the second day of April nineteen hundred and nineteen, or to any dwelling-house which has been since that date or was at that date being bonâ fide reconstructed by way of conversion into two or more separate and self-contained flats or tenements; but, for the purpose of any enactment relating to rating, the gross estimated rental or gross value of any such house to which this Act would have applied if it had been erected or so reconstructed before the third day of August, nineteen hundred and fourteen, and let at that date, shall not exceed—

(*a*) if the house forms part of a housing scheme to which section seven of the Housing, Town Planning, &c. Act, 1919, applies, the rent (exclusive of rates) charged by the local authority in respect of that house; and 9 & 10 Geo. 5. c. 35.

(*b*) in any other case the rent (exclusive of rates) which would have been charged by the local authority in respect of a similar house forming part of such a scheme as aforesaid.

(10) Where possession has been taken of any dwelling-houses by a Government department during the war, under the Defence of the Realm regulations, for the purpose of housing workmen, this Act shall apply to such houses as if the workmen in occupation thereof at the passing of this Act were in occupation as tenants of the landlords of such houses.

Application to business premises.

13.—(1) This Act shall apply to any premises used for business trade or professional purposes or for the public service

as it applies to a dwelling-house, and as though references to "dwelling-house" "house" and "dwelling" included references to any such premises, but this Act in its application to such premises shall have effect subject to the following modifications:—

(*a*) The following paragraph shall be substituted for paragraph (*c*) of subsection (1) of section two:

"(*c*) In addition to any such amounts as aforesaid, an amount not exceeding thirty-five per centum of the net rent:

(*b*) The following paragraph shall be substituted for paragraph (*d*) of subsection (1) of section five:

"(*d*) the premises are reasonably required by the landlord for business trade or professional purposes or for the public service, and (except as otherwise provided by this subsection) the court is satisfied that alternative accommodation, reasonably equivalent as regards rent and suitability in all respects, is available:

(*c*) The following paragraph shall be added after paragraph (*g*) of the same subsection:

"(*h*) The premises are bonâ fide required for the purpose of a scheme of reconstruction or improvement which appears to the court to be desirable in the public interest:

(*d*) Paragraph (i) of the same subsection shall not apply:

(*e*) Sections nine and ten shall not apply.

(2) The application of this Act to such premises as aforesaid shall not extend to a letting or tenancy in any market or fair where the rent or conditions of tenancy are controlled or regulated by or in pursuance of any statute or charter.

(3) This section shall continue in force until the twenty-fourth day of June nineteen hundred and twenty-one.

General.

Recovery of sums made irrecoverable, &c.

14.—(1) Where any sum has, whether before or after the passing of this Act, been paid on account of any rent or mortgage interest, being a sum which is by virtue of this Act, or any Act repealed by this Act, irrecoverable by the landlord or mortgagee, the sum so paid shall be recoverable from the landlord or mortgagee who received the payment or his legal personal representative by the tenant or mortgagor by whom it was paid, and any such sums, and any other sum which under this Act is recoverable by a tenant from a landlord or payable or repayable by a landlord to a tenant, may, without prejudice to any other method of recovery, be deducted by the tenant or mortgagor from any rent or interest payable by him to the landlord or mortgagee.

(2) If—

(*a*) any person in any rent book or similar document makes an entry showing or purporting to show any tenant as being in arrear in respect of any sum which by virtue of any such Act is irrecoverable; or

(*b*) where any such entry has, before the passing of this Act, been made by or on behalf of any landlord, the landlord, on being requested by or on behalf of the tenant so to do, refuses or neglects to cause the entry to be deleted within seven days,

that person or landlord shall, on summary conviction, be liable to a fine not exceeding ten pounds, unless he proves that he acted innocently and without intent to deceive.

Conditions of statutory tenancy.

15.—(1) A tenant who by virtue of the provisions of this Act retains possession of any dwelling-house to which this Act applies shall, so long as he retains possession, observe and be entitled to the benefit of all the terms and conditions of the original contract of tenancy, so far as the same are consistent with the provisions of this Act, and shall be entitled to give up possession of the dwelling-house only on giving such notice as would have been required under the original contract of tenancy, or, if no notice would have been so required, on giving not less than three months' notice:

Provided that, notwithstanding anything in the contract of tenancy, a landlord who obtains an order or judgment for the recovery of possession of the dwelling-house or for the ejectment of a tenant retaining possession as aforesaid shall not be required to give any notice to quit to the tenant.

(2) Any tenant retaining possession as aforesaid shall not as a condition of giving up possession ask or receive the payment of any sum, or the giving of any other consideration, by any person other than the landlord, and any person acting in contravention of this provision shall be liable on summary conviction to a fine not exceeding one hundred pounds, and the court by which he was convicted may order any such payment or the value of any such consideration to be paid to the person by whom the same was made or given, but any such order shall be in lieu of any other method of recovery prescribed by this Act.

(3) Where the interest of a tenant of a dwelling-house to which this Act applies is determined, either as the result of an order or judgment for possession or ejectment, or for any other reason, any sub-tenant to whom the premises or any part thereof have been lawfully sublet shall, subject to the provisions of this Act, be deemed to become the tenant of the landlord on the same terms as he would have held from the tenant if the tenancy had continued.

Minor amendments of law. 32 & 33 Vict. c. 41.

16.—(1) Section three of the Poor Rate Assessment and Collection Act, 1869, shall, except so far as it relates to the metropolis, have effect as though for the limits of value specified in that section there were substituted limits twenty-five per cent. in excess of the limits so specified, and that section and section four of the same Act shall have effect accordingly.

(2) It shall be deemed to be a condition of the tenancy of any dwelling-house to which this Act applies that the tenant shall afford to the landlord access thereto and all reasonable facilities for executing therein any repairs which the landlord is entitled to execute.

(3) Where the landlord of any dwelling-house to which this Act applies has served a notice to quit on a tenant, the acceptance of rent by the landlord for a period not exceeding three months from the expiration of the notice to quit shall not be deemed to prejudice any right to possession of such premises, and, if any order for possession is made, any payment of rent so accepted shall be treated as mesne profits.

Rules as to procedure.

17.—(1) The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving effect to this Act, and may, by those rules or directions, provide for any proceedings for the purposes of this Act being conducted so far as desirable in private and for the remission of any fees.

(2) A county court shall have jurisdiction to deal with any claim or other proceedings arising out of this Act or any of the provisions thereof, notwithstanding that by reason of the amount of claim or otherwise the case would not but for this provision be within the jurisdiction of a county court, and, if a person takes proceedings under this Act in the High Court which he could have taken in the county court, he shall not be entitled to recover any costs.

Application to Scotland and Ireland.

18.—(1) This Act shall apply to Scotland, subject to the following modifications:—

(*a*) "Mortgage" and "encumbrance" mean a heritable security including a security constituted by absolute disposition qualified by back bond or letter; "mortgagor" and "mortgagee" mean respectively the debtor and the creditor in a heritable security; "covenant" means obligation; "mortgaged property" means the heritable subject or subjects included in a heritable security; "rateable value" means yearly value according to the valuation roll; "rateable value on the third day of August nineteen hundred and fourteen" means yearly value according to the valuation roll for the year ending fifteenth day of May nineteen hundred and fifteen; "assessed"

means entered in the valuation roll; "land" means lands and heritages; "rates" means assessments as defined in the House Letting and Rating (Scotland) Act, 1911; "Lord Chancellor", and "High Court" mean the Court of Session; "rules" means act of sederunt; "county court" means the sheriff court; "sanitary authority" means the local authority under the Public Health (Scotland) Act, 1897; "mesne profits" means profits; the Board of Agriculture for Scotland shall be substituted for the Minister of Agriculture and Fisheries; the twenty-eighth day of May shall be substituted for the twenty-fourth day of June; the reference to the county agricultural committee shall be construed as a reference to the body of persons constituted with respect to any area by the Board of Agriculture for Scotland under subsection (2) of section eleven of the Corn Production Act, 1917; references to levying distress shall be construed as references to doing diligence; the reference to the President of the Surveyors' Institution shall be construed as a reference to the Chairman of the Scottish Committee of the Surveyors' Institution; a reference to section five of the Housing, Town Planning, &c. (Scotland) Act, 1919, shall be substituted for a reference to section seven of the Housing, Town Planning, &c. Act, 1919; and a reference to section one of the House Letting and Rating (Scotland) Act, 1911, shall be substituted for a reference to section three of the Poor Rate Assessment and Collection Act, 1869:

1 & 2 Geo. 5. c. 53.

60 & 61 Vict. c. 38.

7 & 8 Geo. 5. c. 46.

9 & 10 Geo. 5. c. 60.

32 & 33 Vict. c. 41.

(*b*) Nothing in paragraph (*b*) of subsection (1) of the section of this Act relating to permitted increases in rent shall permit any increase in rent in respect of any increase after the year ending Whitsunday nineteen hundred and twenty in the amount of the rates payable by the landlord other than rates for which he is responsible under the House Letting and Rating (Scotland) Act, 1911:

(*c*) Paragraph (*d*) of subsection (1) of the section of this Act relating to application and interpretation shall not apply:

(*d*) Where any dwelling-house, to which the Acts repealed by this Act applied, is subject to a right of tenancy arising from a yearly contract or from tacit relocation, and ending at Whitsunday nineteen hundred and twenty-one, the year ending at the said term of Whitsunday shall be deemed to be a period during which, but for this Act, the landlord would be entitled to obtain possession of such dwelling-house.

(2) This Act shall apply to Ireland subject to the following modifications:—

(*a*) A reference to the Lord Chancellor of Ireland shall be substituted for the reference to the Lord Chancellor:

14 & 15 Vict. c. 92.

(*b*) A reference to section fifteen of the Summary Jurisdiction (Ireland) Act, 1851, shall be substituted for the reference to section one of the Small Tenements Recovery Act, 1838:

54 & 55 Vict. c. 66.

(*c*) The expression "mortgage" includes a charge by registered disposition under the Local Registration of Title (Ireland) Act, 1891, and any notice of the apportionment of the principal money secured by a mortgage, if and when the notice becomes operative under this Act, and the award of any arbitrator with reference to any such apportionment may be registered under the enactments relative to the registration of deeds or titles as the case requires:

(*d*) The expression "rateable value" means the annual rateable value under the Irish Valuation Acts: Provided that, where part of a house let as a separate dwelling is not separately valued under those Acts, the Commissioner of Valuation and Boundary Surveyor may, on the application of the landlord or tenant, make such apportionment of the rateable value of the whole house as seems just, and his decision as to the amount to be apportioned to the part of the house shall be final and conclusive, and that amount shall be taken to be the rateable value of the part of the house for the purposes of this Act but not further or otherwise:

(*e*) The following paragraph shall be substituted for paragraph (ii) of subsection (1) of section five of this Act:

(ii) Where the court is satisfied that the dwelling house is required by the landlord for the occupation of a person engaged on work necessary for the proper working of an agricultural holding; or

(*f*) The following subsection shall be substituted for subsection (9) of section twelve of this Act:

(9) This Act shall not apply to a dwelling-house erected after, or in course of erection on, the second day of April nineteen hundred and nineteen, or to any dwelling house which has been since that date or was at that date being bonâ fide reconstructed by way of conversion into two or more separate and self-contained flats or tenements; but the rateable value of any such dwelling-house to which this Act would have

applied if it had been erected or so reconstructed before the said date shall be ascertained as though the rent for the purposes of section eleven of the Valuation (Ireland) Act, 1852, were the rent for which a similar dwelling-house might have been reasonably expected to let on the third day of August nineteen hundred and fourteen, the probable average annual cost of repairs, insurance, and other expenses (if any) necessary to maintain the dwelling-house in its actual state, and all rates, taxes, and public charges, if any (except tithe rentcharge), being paid by the tenant: 15 & 16 Vict. c. 63.

(*g*) The medical officer of health of a dispensary district shall be substituted for the sanitary authority in section two of this Act and in the First Schedule thereto, and the issue of certificates and the payment of fees in connection with applications by tenants under the said section shall be subject to regulations to be made by the Local Government Board for Ireland:

(*h*) This Act shall not apply to any dwelling-house provided by a local authority under the Labourers (Ireland) Acts, 1883 to 1919, or under any of those Acts.

19.—(1) This Act may be cited as the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920. Short title, duration, and repeal.

(2) Except as otherwise provided, this Act shall continue in force until the twenty-fourth day of June nineteen hundred and twenty-three:

Provided that the expiration of this Act or any part thereof shall not render recoverable by a landlord any rent, interest or other sum which during the continuance thereof was irrecoverable, or affect the right of a tenant to recover any sum which during the continuance thereof was under this Act recoverable by him.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that, without prejudice to the operation of section thirty-eight of the Interpretation Act, 1889, nothing in this repeal shall render recoverable any sums which at the time of the passing of this Act were irrecoverable, or affect the validity of any order of a court, or any rules or directions made or given under any enactment repealed by this Act, all of which orders, rules, and directions if in force at the date of the passing of this Act shall have effect as if they were made or given under this Act, and any proceedings pending in any court at the date of the passing of this Act, under any enactment repealed by this Act, shall be deemed to have been commenced under this Act. 52 & 53 Vict. c. 63.

SCHEDULES.

Sections 3 and 18.

FIRST SCHEDULE.

FORM OF NOTICE BY LANDLORD.

INCREASE OF RENT AND MORTGAGE INTEREST (RESTRICTIONS) ACT, 1920.

Date

To

Address of premises to which this notice refers

Take notice that I intend to increase the rent of *l.* *s.* *d.* per at present payable by you as tenant of the above-named premises by the amount of *l.* *s.* *d.* per

The increase is made up as follows:—

(*a*) *l.* *s.* *d.* under paragraph (*a*) of subsection (1) of section two of the Act, being six [eight] per cent. on *l.* *s.* *d.* expended by me since [*insert date*] on improvements and structural alterations, and consisting of*

(*b*) *l.* *s.* *d.* under paragraph (*b*) of subsection (1) of section two of the Act, on account of an increase in the rates payable by me from *l.* *s.* *d.* per to *l.* *s.* *d.* per in respect of the premises.

(*c*) *l.* *s.* *d.* under paragraph (*c*) of subsection (1) of section two of the Act, being per cent. on the net rent of the premises. The net rent is *l.* *s.* *d.* The standard rent is *l.* *s.* *d.*

(*d*) *l.* *s.* *d.* under paragraph (*d*) of subsection (1) of section two of the Act, being per cent. on the net rent of the premises. The net rent is *l.* *s.* *d.* The standard rent is *l.* *s.* *d.*

The increase under head (*b*) will date from , being one clear week from the date of this notice, and the remaining increases from , being four clear weeks from the date of this notice.

†The increase under head (*d*) is on account of my responsibility for repairs, for no part [part only] of which are you under an express liability.

‡At any time or times, not being less than three months after the day of 19 , you are entitled to apply to the county court for an order suspending the increases under heads (*c*) and (*d*) above if you consider that the premises are not in all respects reasonably fit for human habitation or otherwise not in a reasonable state of repair. You will be required to satisfy the county court, by a report of the sanitary authority or otherwise, that your application is well founded, and for this purpose you are entitled to apply to the sanitary authority for a certificate. A fee of one shilling is chargeable on any application for a certificate, but, if the certificate is granted you can deduct this sum from your rent. The address of the sanitary authority is

Signed

Address

* Here state improvements and alterations effected.

† Where the tenant is under an express liability for part of the repairs, the increase under head (*d*) is to be settled in default of agreement by the county court.

‡ This paragraph need not be included if there is no increase under head (*d*).

SECOND SCHEDULE.

Section 19.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Geo. 5. c. 97.	The Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.	The whole Act.
7 & 8 Geo. 5. c. 25.	The Courts (Emergency Powers) Act, 1917.	Ss. 4, 5 and 7.
9 & 10 Geo. 5. c. 7.	The Increase of Rent and Mortgage Interest (Restrictions) Act, 1919.	The whole Act.
9 & 10 Geo. 5. c. 90.	The Increase of Rent, &c. (Amendment) Act, 1919.	The whole Act.

CHAPTER 18.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the Law relating to Customs and Inland Revenue (including Excise), and the National Debt and to make further provision in connection with Finance. [4th August 1920.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

CUSTOMS AND EXCISE.

Continuation of customs duties imposed under 5 & 6 Geo. 5. c. 89. 9 & 10 Geo. 5. c. 32.

1. The following duties of customs, imposed by Part I. of the Finance (No. 2) Act, 1915, shall, subject to the provisions of section eight of the Finance Act, 1919 (which relates to imperial preferential rates), continue to be charged, levied, and paid, in the case of the duty on motor spirit until the thirty-

first day of December nineteen hundred and twenty, in the case of the new import duties until the first day of May nineteen hundred and twenty-one, and in the case of the other duties until the first day of August nineteen hundred and twenty-one, that is to say :—

Duty.	Section of Act.
Increased duty on tea	1
Additional duties on dried fruit	8
Additional duty on motor spirit	10 (1)
New import duties	12

Continuation of increased medicine duties.

2. The additional duties of excise imposed by section eleven of the Finance (No. 2) Act, 1915, upon medicines liable to duty shall continue to be charged, levied and paid until the first day of August nineteen hundred and twenty-one.

Increased duties on spirits.

3.—(1) In lieu of the duties of customs payable on spirits imported into Great Britain or Ireland, there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied and paid, in the case of spirits entitled to preferential rates under section eight of the Finance Act, 1919, the duties specified in the second column of Part I. of the First Schedule to this Act, and in the case of all other spirits the duties specified in the third column of Part I. of the said schedule, together in either case with the additional duties specified in Part II. of that schedule.

(2) In lieu of the excise duty payable on spirits distilled in Great Britain or Ireland there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied and paid for every gallon computed at proof of spirits distilled or manufactured by any other process whatsoever in Great Britain or Ireland an excise duty of three pounds twelve shillings and sixpence, together with the additional duties specified in Part III. of the First Schedule to this Act.

And so in proportion for any less quantity.

Spirits used in medical preparations or for scientific purposes. 8 & 9 Geo. 5. c. 15.

4. Section four of the Finance Act, 1918 (which provides for the reduction and allowance of duty in respect of spirits used in medical preparations or for scientific purposes), shall apply to the duties on spirits imposed by this Act as it applies to duties on spirits imposed by that Act as though it were herein set out and expressly made applicable thereto, with the substitution for the sums specified in that section as the amount of reduction of duty or repayment of duty, of such sums as will reduce the amount of duty payable under this Act to the amount of duty which was payable immediately before the increase of duties on spirits provided for by the Finance Act, 1918.

Increased customs duties on beer.

5.—(1) In lieu of the duties of customs payable on beer of the descriptions called or similar to mum, spruce or black beer, or Berlin white beer, or other preparations, whether fermented or not fermented, of a similar character imported into Great Britain or Ireland, there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied, and paid the following duties (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons of beer where the worts thereof are, or were before fermentation, of a specific gravity—			
Not exceeding one thousand two hundred and fifteen degrees - - - - - -	20	2	0
Exceeding one thousand two hundred and fifteen degrees - - - - - -	23	11	0

(2) In lieu of the duty of customs payable on every description of beer other than that specified in the preceding subsection imported into Great Britain or Ireland there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied, and paid the following duty (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons where the worts thereof were before fermentation of a specific gravity of one thousand and fifty-five degrees -	5	0	6

(3) In lieu of the customs drawback now payable there shall be allowed and paid on the exportation, shipment for use as stores, or removal to the Isle of Man, of beer imported into Great Britain or Ireland, on which it is shown that the increased customs duty charged by this Act has been paid, a drawback calculated according to the original gravity thereof (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons of an original gravity of one thousand and fifty-five degrees the drawback of - - - - - - - - -	5	0	3

(4) In the case of beer which is of a gravity different from the gravity aforesaid, the duty or the drawback, as the case may be, shall be varied proportionately.

Increased excise duty on beer.

6. In lieu of the duty of excise payable in respect of beer brewed in Great Britain or Ireland there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied, and paid, the following duty (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons of worts of a specific gravity of one thousand and fifty-five degrees -	5	0	0

and in lieu of the drawback of excise payable in respect of beer exported from Great Britain or Ireland, as merchandise or for use as ship's stores, there shall be allowed and paid in respect of beer on which it is shown that the increased excise duty

charged by this Act has been paid a drawback calculated according to the original gravity thereof (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons of beer of an original gravity of one thousand and fifty-five degrees the drawback of - - - - - - - -	5	0	3

and so, as to both duty and drawback, in proportion for any difference in quantity or gravity.

Increased duties on wine.

7.—(1) In lieu of the duties of customs payable on wine imported into Great Britain and Ireland, there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied, and paid, subject as hereinafter provided, the following duties (that is to say) :—

Wine—	£	*s.*	*d.*
Not exceeding 30 degrees of proof spirit, the gallon - - - - - - - - -	0	2	6
Exceeding 30 but not exceeding 42 degrees of proof spirit, the gallon - - - - - -	0	6	0
And for every degree, or fraction of a degree, beyond the highest above charged, an additional duty, the gallon - - - - - -	0	0	6
Sparkling wine in bottle, an additional duty, the gallon - - - - - - - - -	0	5	0
Still wine in bottle, an additional duty, the gallon - - - - - - - - - -	0	2	0

and in the case of sparkling wine in addition to the above duties a duty equal to thirty-three and one-third per cent. of the value of the wine.

(2) This section shall have effect subject to the provisions of section eight of the Finance Act, 1919, and as though the Second Schedule to that Act provided that the preferential rate of duty as respects the ad valorem duty on sparkling wine were two-thirds of the full rate of that duty.

53 & 54 Vict. c. 8.

(3) Subsection (2) of section eight of the Customs and Inland Revenue Act, 1890 (which provides that wine rendered sparkling in warehouse is to be deemed to be sparkling wine for the purpose of a certain duty imposed on sparkling wine), shall apply for the purpose of the ad valorem duty imposed on sparkling wine by this section as it applies for the purpose of any other duty imposed on such wine.

(4) In this section the word "wine" includes the lees of wine.

Amendment of s. 45 of 10 Edw. 7. c. 8.

8. Section forty-five of the Finance (1909–10) Act, 1910 (which provides for the reduction of licence duty in the case of hotels and restaurants), shall have effect as respects any licence granted for the year commencing on the twenty-ninth day of May nineteen hundred and twenty, or for a year commencing on any later date, as if for the words "two-fifths" and "one-third," in subsection (1) thereof, there were, respectively, substituted the words "three-fifths" and "one-half."

Additional duty on cigars.

9. In addition to the duties of customs payable on tobacco imported into Great Britain and Ireland, there shall, as from the twentieth day of April nineteen hundred and twenty, be charged, levied, and paid on cigars a duty of fifty per cent. of the value of the cigars :

Provided that in the case of the duty charged by this section the preferential rate under section eight of the Finance Act, 1919, shall be two-thirds of the full rate.

Calculation of value for purposes of ad valorem duty on wines and cigars.

10.—(1) For the purpose of the duties charged by this Act on wines and cigars by reference to the value thereof, the value of the goods shall be taken to be the price which an importer would give for the goods if the goods were delivered to him, freight and insurance paid, in bond at the port of importation, and duty shall be paid on that value as fixed by the Commissioners of Customs and Excise.

(2) The provisions of subsections (3) and (4) of section twelve of the Finance (No. 2) Act, 1915 (which relate to the determination of disputes as to the proper rate of duty payable under that section), shall apply to disputes arising as to the proper rate of duty payable under this Act by reference to the value of any goods.

Provisions as to spirits used for generating mechanical power. 6 & 7 Geo. 5. c. 20. 43 & 44 Vict. c. 24.

11.—(1) Subsection (1) of section one of the Revenue Act, 1906, which provides for the payment of an allowance in respect of spirits used for making industrial methylated spirits, shall apply to power methylated spirits as it applies to industrial methylated spirits.

(2) The provisions of subsection (3) of section one hundred and twenty-three of the Spirits Acts, 1880, shall not apply in the case of power methylated spirits, and the substance to be mixed with spirits for the purpose of methylation shall, in the case of power methylated spirits, be such substance or combination of substances, and shall be used in such proportion, as the Commissioners of Customs and Excise may by regulations prescribe.

(3) In this section the expression " power methylated spirits " means any methylated spirits (other than mineralised methylated spirits) which are intended to be used in generating mechanical power.

Repeal of customs duties on motor spirit and motor spirit dealers' licence duties.

12. As from the first day of January nineteen hundred and twenty-one the customs duties on motor spirit imported into Great Britain or Ireland and the excise duty on licences to be taken out annually by dealers in motor spirit shall cease to be chargeable.

Duty on licences for mechanically propelled vehicles.

13.—(1) Any excise duty, which is chargeable at the commencement of this Act in respect of any vehicle which is chargeable with duty as a mechanically propelled vehicle under this section shall cease to be chargeable as from the first day of January nineteen hundred and twenty-one, and on and after that date there shall be charged, levied, and paid in Great Britain

and Ireland in respect of mechanically propelled vehicles used on public roads duties of excise at the rates specified in the Second Schedule to this Act.

(2) The duties charged under this section shall be paid annually upon licences to be taken out by the person keeping the vehicle:

Provided that—

(*a*) a licence may be taken out in respect of any mechanically propelled vehicle (other than a cycle, or a tramcar, or a vehicle on which a duty of five shillings is chargeable under this section) for one-quarter of the year only beginning on the first day of January, the twenty-fifth day of March, the first day of July, or the first day of October, and in the case of any licence so taken out the duty shall be thirty per cent. of the full annual duty; and

(*b*) where a person commences to keep or use a cycle or tramcar on or after the first day of October in any year, he shall, on delivering a declaration in writing signed by him to that effect, be entitled to take out a licence for that vehicle on payment of one half of the full annual duty.

(3) The unit of horse-power for the purpose of any rate of duty under the Second Schedule to this Act shall be calculated in accordance with regulations made by the Minister of Transport for the purpose.

(4) No duty shall be payable under this section in respect of fire-engines, vehicles kept by a local authority while they are used for the purposes of their fire-brigade service, ambulances, or road rollers.

(5) The Minister of Transport may make regulations providing for the total or partial exemption for a limited period from the duty payable under this section of any vehicle brought into the United Kingdom by persons making only a temporary stay in the United Kingdom.

PART II.

INCOME TAX.

Income tax for 1920–21.

14.—(1) Income tax for the year 1920–21 shall be charged at the rate of six shillings.

(2) All such enactments relating to income tax as were in force with respect to duties of income tax granted for the year 1919–20 shall have full force and effect with respect to any duties of income tax granted by this Act.

(3) The annual value of any property which has been adopted for the purpose either of income tax under Schedules A. and B., or of inhabited house duty, for the year 1919–20, shall be

taken as the annual value of that property for the same purpose for the year 1920–21; provided that this subsection—

(*a*) so far as respects the duty on inhabited houses in Scotland, shall be construed by reference to a year of assessment ending on the twenty-fourth day of May instead of on the fifth day of April; and

(*b*) shall not apply to lands, tenements, and hereditaments in the administrative county of London with respect to which the valuation list under the Valuation (Metropolis) Act, 1869, is, by that Act, made conclusive for the purposes of income tax and inhabited house duty. 32 & 33 Vict. c. 67.

Super-tax for 1920–21.

15.—(1) Super-tax shall be charged in respect of the income of any individual the total of which from all sources exceeds two thousand pounds, and Part II. of the Income Tax Act, 1918, shall have effect accordingly. 8 & 9 Geo. 5. c. 40.

(2) The rates of super-tax for the year 1920–21 shall, for the purposes of section four of the Income Tax Act, 1918, as amended by this Act, be as follows:—

In respect of the first two thousand pounds of the income - - - - - -	Nil.
In respect of the excess over two thousand pounds—	
For every pound of the first five hundred pounds of the excess -	One shilling and sixpence.
For every pound of the next five hundred pounds of the excess -	Two shillings.
For every pound of the next one thousand pounds of the excess -	Two shillings and sixpence.
For every pound of the next one thousand pounds of the excess -	Three shillings.
For every pound of the next one thousand pounds of the excess -	Three shillings and sixpence.
For every pound of the next one thousand pounds of the excess -	Four shillings.
For every pound of the next one thousand pounds of the excess -	Four shillings and sixpence.
For every pound of the next twelve thousand pounds of the excess -	Five shillings.
For every pound of the next ten thousand pounds of the excess -	Five shillings and sixpence.
For every pound of the remainder of the excess - - - - - -	Six shillings.

(3) All such enactments relating to super-tax as were in force with respect to the super-tax granted for the year 1919–20 shall have full force and effect with respect to the super-tax granted under this section.

(4) In estimating the total income of any individual for the purpose of super-tax, the amount of any earned income shall be taken to be the full amount of that income without the deduction of any allowance under this Part of this Act, and section five of the Income Tax Act, 1918, shall have effect accordingly.

Allowance in respect of earned income.

16. For the purpose of ascertaining the amount of the assessable income of an individual for the purpose of income tax, there shall be allowed in the case of earned income a deduction from the amount of that income as estimated in accordance with the provisions of the Income Tax Acts of a sum equal to one-tenth of the amount of that income, but not exceeding in the case of any individual two hundred pounds.

Deductions to be allowed in ascertaining taxable income.

17.—(1) An individual who, in the manner prescribed by the Income Tax Acts, makes a claim in that behalf and who makes a return in the prescribed form of his total income shall be entitled for the purpose of ascertaining the amount of the income on which he is to be charged to income tax (in this Act referred to as "the taxable income") to have such deductions as are specified in the five sections of this Act next following made from his assessable income.

(2) The provisions of sections twenty-seven, twenty-eight, twenty-nine, and thirty of the Income Tax Act, 1918, and of paragraph XVII. of the Fifth Schedule to that Act, shall apply for the purpose of claims for any such deductions as aforesaid as if those provisions were re-enacted in this Act and in terms made applicable to such claims.

Personal allowance.

18.—(1) The claimant, if he proves that for the year of assessment he has his wife living with him, or that his wife is wholly maintained by him during the year of assessment, and that he is not entitled in computing the amount of his income for that year for the purposes of the Income Tax Acts to make any deduction in respect of the sums paid for the maintenance of his wife, shall be entitled to a deduction of two hundred and twenty-five pounds, and in any other case to a deduction of one hundred and thirty-five pounds.

(2) If the total income of the claimant includes any earned income of his wife the deduction to be allowed under this section shall be increased by an amount equal to nine-tenths of the amount of that earned income but not exceeding in any case forty-five pounds.

Deduction in respect of relatives taking charge of widower's

19.—(1) If the claimant proves that he is a widower and that for the year of assessment a person being a female relative of his or of his deceased wife is resident with him for the purpose of having the charge and care of any child of his, or he proves

that he has no female relative of his own or of his deceased wife who is able or willing to take such charge and that he has employed some other female person to undertake the same, he shall, subject as hereinafter provided, be entitled to a deduction of forty-five pounds in respect of that female relative or other female person : or widow's children.

Provided that—

(*a*) no deduction shall be allowed under this section unless the claimant proves that no other individual is entitled to a deduction in respect of the female relative under the provisions of this Part of this Act or, if any other individual is so entitled, that the other individual has relinquished his claim thereto; and

(*b*) no deduction shall be allowed under this section where the female relative is a married woman living with her husband, and the husband has claimed and been allowed a deduction of two hundred and twenty-five pounds under the preceding provisions of this Part of this Act.

(2) In this section the expression "child" means a child in respect of whom a deduction is allowed under this Part of this Act.

(3) This section shall apply to a claimant being a widow as it applies to a claimant being a widower, with the substitution of "her deceased husband" for "his deceased wife."

Deduction in respect of widowed mother, &c.

20. If the claimant proves—

(*a*) that he is unmarried and that he has living with him either his mother, being a widow or a person living apart from her husband, or some other female relative, for the purpose of having the charge and care of any brother or sister of his, being a child in respect of whom a deduction is allowed under this Part of this Act, and that he maintains the mother or other relative at his own expense; and

(*b*) that neither he nor any other individual is entitled to a deduction in respect of the same person under any of the other provisions of this Part of this Act, or if any other individual is entitled to any such deduction that the other individual has relinquished his claim thereto,

he shall be entitled to a deduction of forty-five pounds.

Deduction in respect of children.

21.—(1) If the claimant proves that he has living at the commencement of the year of assessment any child who is either under the age of sixteen years or who, if over the age of sixteen years at the commencement of that year, is receiving full time instruction at any university, college, school, or other educational establishment, he shall, subject to the provisions of this section, be entitled in respect of one child to a deduction of

thirty-six pounds and in respect of each subsequent child to a deduction of twenty-seven pounds.

The expression "child" in this provision includes a step-child and an illegitimate child whose parents have married each other after his birth.

(2) If the claimant proves that for the year of assessment he has the custody of and maintains at his own expense any child who is under the age of sixteen years at the commencement of that year, or who, if over the age of sixteen years at the commencement of that year, is receiving such full-time instruction as aforesaid, and that neither he nor any other individual is entitled to a deduction in respect of the same child under the foregoing provisions of this section or under any of the other provisions of this Part of this Act, or, if any other individual is entitled to such a deduction, that that other individual has relinquished his claim thereto, he shall be entitled in respect of the child to the same deduction as if the child were a child of his.

(3) No deduction shall be allowed under this section in respect of any child who is entitled in his own right to an income exceeding forty pounds a year:

Provided that in calculating the income of the child for the purposes of the foregoing provision no account shall be taken of any income to which the child is entitled as the holder of a scholarship, bursary, or other similar educational endowment.

(4) If any question arises as to whether any person is entitled to an allowance under this section in respect of a child who is over the age of sixteen years, as being a child who is receiving such full-time instruction as aforesaid, the Commissioners of Inland Revenue may, on the request of the Income Tax Commissioners concerned, consult the Board of Education.

In the application of this subsection to Scotland and Ireland the Scottish Education Department and the Lord Lieutenant of Ireland shall respectively be substituted for the Board of Education.

Deduction in respect of dependent relatives.

22.—(1) If the claimant proves that he maintains at his own expense any person, being a relative of his or of his wife who is incapacitated by old age or infirmity from maintaining himself, or his or his wife's widowed mother, whether incapacitated or not, and being a person whose total income from all sources does not exceed fifty pounds a year, he shall be entitled to a deduction of twenty-five pounds in respect of each person whom he so maintains, and a like deduction shall be made in the case of a claimant who, by reason of old age or infirmity, is compelled to depend upon the services of a daughter resident with and maintained by him or her.

(2) Where two or more persons jointly maintain any such person as aforesaid, the deduction to be made under this section shall be apportioned between them in proportion to the amount

or value of their respective contributions towards the maintenance of that person.

(3) This section shall apply to a claimant being a female person as it applies to a claimant being a male person with the substitution of "husband" for "wife."

Reduced rate of tax on first two hundred and twenty-five pounds of taxable income.

23. The rate at which the first two hundred and twenty-five pounds of the taxable income of an individual shall be charged to income tax shall be half the standard rate of tax.

No relief where individual not resident in the United Kingdom.

24.—(1) Subject as hereinafter provided, no allowance in respect of earned income, and no deduction from assessable income, shall be given or made, and income tax on the first two hundred and twenty-five pounds of the taxable income shall not be chargeable at the reduced rate under the foregoing provisions of this Part of this Act, and no relief shall be granted under section thirty-two of the Income Tax Act, 1918, in the case of any individual who is not resident in the United Kingdom:

Provided that the foregoing provision shall not apply in the case of any individual who satisfies the Commissioners of Inland Revenue that he or she—

(*a*) is a British subject; or

(*b*) is a person who is or has been employed in the service of the Crown, or who is employed in the service of any missionary society or in the service of any native State under the protection of His Majesty; or

(*c*) is resident in the Isle of Man or the Channel Islands; or

(*d*) has previously resided within the United Kingdom and is resident abroad for the sake of his or her health or the health of a member of his or her family resident with him or her; or

(*e*) is a widow whose late husband was in the service of the Crown;

so, however, that no such allowance, deduction, reduction of rate, or relief as aforesaid shall be given so as to reduce the amount of the income tax payable by that individual below an amount which bears the same proportion to the amount which would be payable by him by way of tax if the tax were chargeable on his total income from all sources, including income which is not subject to income tax charged in the United Kingdom, as the amount of the income subject to income tax so charged bears to the amount of his total income from all sources.

(2) Any person who is aggrieved by a decision of the Commissioners of Inland Revenue under this section may appeal to the Special Commissioners.

Right of husband and wife to claim relief separately.

25.—(1) Where, on an application made for the purpose under the provisions of the Income Tax Acts, income tax for any year is assessable and chargeable on the incomes of the husband and wife respectively as if they were not married:—

(*a*) All the provisions of the Income Tax Acts relating to claims for an allowance in respect of earned income

and deductions from assessable income and for relief under section thirty-two of the Income Tax Act, 1918, and the proof to be given with respect thereto, shall apply as if they were not married; and

(*b*) The income of the husband and the wife shall be aggregated in estimating the amount to be repaid or allowed in respect of the allowances or deductions aforesaid, and for the purpose of the reduction of the rate of tax on the first two hundred and twenty-five pounds of the taxable income, and the total amount of any allowances or deductions given or made in respect of the incomes of husband and wife shall not exceed such an amount as would have been given on account of those allowances and deductions if such an application as aforesaid had not been made, and no reduction of the rate of tax shall be allowed in respect of more than two hundred and twenty-five pounds of the taxable income in all; and

(*c*) The benefit of any such allowance or deduction and the reduction of the rate of tax on the first two hundred and twenty-five pounds of the taxable income may be given either by way of reduction of the amount of the tax to be paid, or by repayment of any excess of tax which has been paid, or by both of these means, as the case requires, and shall be given to the husband and the wife as regards the allowance in respect of earned income in proportion to the amounts of their respective earned incomes, and as regards deductions from assessable income and the reduction of the rate of tax, in proportion to the amounts of their respective assessable incomes:

Provided that in the case of relief given under section thirty-two of the Income Tax Act, 1918, the benefit of the relief shall be given to the husband or wife, as the case may be, by whom the payment is made, and in the case of a deduction claimed in respect of a child under subsection (2) of the foregoing section of this Act relating to the deduction in respect of children, or in respect of any person under the foregoing section of this Act relating to the deduction in respect of dependent relatives, shall be given to that one of the married persons by whom the child or relative is maintained; and

(*d*) For the purpose of any of the above-mentioned allowances or deductions or reliefs a return may be made by the husband or the wife of the total income of the husband and wife, but if the Commissioners of Inland revenue are not satisfied with the return they may obtain a return from the wife or husband, as the case may be.

(2) The Commissioners of Inland Revenue may require returns for the purposes of this section to be made at any time, and the provisions of the Income Tax Acts relating to penalties for neglect or refusal to deliver or for delay in delivering true and correct statements of profits or gains shall, with the necessary modifications, apply in the case of the neglect or refusal to make or wilful delay in making any such return.

Amendment of s. 32 of 8 & 9 Geo. 5. c. 40.

26. Section thirty-two of the Income Tax Act, 1918 (which relates to relief in respect of life insurance premiums), shall be amended as follows :—

(1) For the words in subsection (1) from "(*b*) who is" to the end of the subsection there shall be substituted the following words :—

"(*b*) who is under any Act of Parliament or under the terms or conditions of his employment liable to the payment of any sum or to the deduction from his salary or stipend of any sum for the purpose of securing a deferred annuity to his widow or provision for his children after his death;

shall, subject as hereinafter provided, be entitled to have the amount of tax payable by him reduced by a sum representing tax at the appropriate rate on the amount of the premium paid by him for any such insurance or contract or on the amount of the sum paid by him or deducted from his salary or stipend.

"For the purposes of this section, the expression 'appropriate rate' means—

"(*i*) where the total income of the claimant from all sources estimated in accordance with the provisions of the Income Tax Acts does not exceed one thousand pounds, half the standard rate of tax :

"(ii) where the total income of the claimant from all sources estimated as aforesaid exceeds one thousand pounds but does not exceed two thousand pounds, three-fourths of the standard rate of tax :

"(iii) where the total income of the claimant from all sources estimated as aforesaid exceeds two thousand pounds, the standard rate of tax."

(2) At the end of subsection (2) there shall be inserted the words "at the appropriate rate."

(3) In paragraph (*c*) of subsection (3) after the words "or not" there shall be inserted the words "the amount of" "the tax calculated at the appropriate rate on an" "amount equal to."

(4) In paragraph (*d*) of subsection (3) for the words "exceed one hundred pounds in all" there shall be substituted the words "in any case exceed the amount of the tax

" calculated at the appropriate rate on one hundred " pounds."

(5) In paragraph (*e*) of subsection (3) for the words " three shillings in the pound " there shall be substituted the words " half the standard rate of tax."

(6) In the proviso to paragraph (*e*) of subsection (3) after the word " business " there shall be inserted the words " or for the benefit of the wife or widow of any such " employee or person or of his children or other " dependants."

(7) At the end of the section there shall be inserted the following new subsections :—

" (8) Where a premium is paid by a wife out of her separate income in respect of an insurance on her own life or the life of her husband or a contract for any deferred annuity on her own life or the life of her husband, the same allowance of tax shall be made as if the premium were a premium paid by her husband for an insurance on his own life or for a contract for a deferred annuity on his own life, and this section shall apply accordingly.

" (9) Where the tax ultimately payable by any person after deducting the allowance under this section is greater than the amount of tax which would be payable if the total income of that person exceeded one thousand pounds or two thousand pounds, as the case may be, the allowance under this section shall be increased by a sum representing the amount by which tax at one-fourth of the standard rate on the amount of the premiums or payment in respect of which the allowance is made exceeds the amount of the tax at the standard rate on the amount by which the total income falls short of one thousand pounds or two thousand pounds, as the case may be."

Relief in respect of Dominion income tax

27.—(1) If any person who has paid, by deduction or otherwise, or is liable to pay, United Kingdom income tax for any year of assessment on any part of his income proves to the satisfaction of the Special Commissioners that he has paid Dominion income tax for that year in respect of the same part of his income, he shall be entitled to relief from United Kingdom income tax paid or payable by him on that part of his income at a rate thereon to be determined as follows :—

(*a*) if the Dominion rate of tax does not exceed one-half of the appropriate rate of United Kingdom tax, the rate at which relief is to be given shall be the Dominion rate of tax :

(*b*) In any other case the rate at which relief is to be given shall be one-half of the appropriate rate of United Kingdom tax.

For the purpose of this section, the expression "the appropriate rate of United Kingdom tax" means the rate at which the claimant for the year to which the claim relates has borne or is liable to bear United Kingdom income tax, and where the claimant is liable to United Kingdom super-tax the expression "the appropriate rate of United Kingdom tax" means a rate equal to the sum of the rates at which he has borne or is liable to bear United Kingdom income tax and super-tax respectively for that year.

(2) Where a person has not established his claim to relief under this section for any year of assessment before the first day of January in that year, the relief shall be granted by way of repayment of tax.

(3) Where by reason of the allowance of relief under this section the rate of United Kingdom income tax deducted from or paid in respect of any part of the income of any individual is less than the standard rate, and the rate of the relief so allowed is greater than the rate appropriate to the case of that individual, such an adjustment shall be made in allowing to that individual any relief to which he may be entitled under the provisions of this Part of this Act relating to the rate of tax on the first two hundred and twenty-five pounds of taxable income as may be necessary to secure that the amount of United Kingdom income tax finally paid or borne by him shall be equal to the amount which would have been paid or borne if the relief under this section had in the first instance been given at the rate appropriate to his case.

(4) Notwithstanding anything in the Rules applicable to Case IV. or Case V. of Schedule D. or in any other provision of the Income Tax Acts, no deduction shall be made on account of the payment of Dominion income tax in estimating income for the purposes of United Kingdom income tax, and where income tax has been paid or is payable in any Dominion either on the income out of which income subject to United Kingdom income tax arises or is received, or as a direct charge in respect of that income, the income so subject to United Kingdom income tax shall be deemed to be income arising or received after deduction of Dominion income tax and an addition shall, in estimating income for the purposes of the United Kingdom income tax, be made to that income of the proportionate part of the income tax paid or payable in the Dominion in respect of the income out of which that income arises or is received together with the full amount of any Dominion income tax directly charged or chargeable in the Dominion in respect of that income:

Provided that—

(*a*) where any income arising or received as aforesaid consists of dividends which are entrusted to any person in the United Kingdom for payment and the Special Commissioners are satisfied that the person so entrusted is not in a position to ascertain the amount of the addition to be made under this subsection, the assessment and charge may be made on the amount of the dividends as received by the person so entrusted, but in any such case the amount of the addition shall be chargeable on the recipient of the dividends under Case VI. of Schedule D.; and

(*b*) where under the laws in force in any Dominion no provision is made for the allowance of relief from Dominion income tax in respect of the payment of United Kingdom income tax, then in assessing or charging income tax in the United Kingdom in respect of income assessed or charged to income tax in that Dominion a deduction shall be allowed in estimating income for the purpose of United Kingdom income tax of an amount equal to the difference between the amount of the Dominion income tax paid or payable in respect of the income and the total amount of the relief granted from the United Kingdom income tax in respect of the Dominion income tax for the period on the income of which the assessment or charge to United Kingdom income tax is computed.

In this subsection the expression "dividends" includes any interest, annuities, dividends, shares of annuities, pensions, or other annual payments or sums in respect of which tax is charged under the Rules applicable to Schedule C. or under Rule VII. of the Miscellaneous Rules applicable to Schedule D.

(5) Where under Rule 20 of the General Rules applicable to Schedules A., B., C., D. and E., a body of persons is entitled to deduct income tax from any dividends, tax shall not in any case be deducted at a rate exceeding the rate of the United Kingdom income tax as reduced by any relief from that tax given under this section in respect of any payment of Dominion income tax.

(6) Where under the law in force in any Dominion provision is made for the allowance of relief from Dominion income tax in respect of the payment of United Kingdom income tax, the obligation as to secrecy imposed by the Income Tax Acts upon persons employed in relation to Inland Revenue shall not prevent the disclosure to the authorised officer of the Government of the Dominion of such facts as may be necessary to enable the proper relief to be given in cases where relief is claimed

both from United Kingdom income tax and from Dominion income tax.

(7) The Commissioners of Inland Revenue may from time to time make regulations generally for carrying out the provisions of this section, and may, in particular, by those regulations provide :—

(*a*) For making such arrangements with the Government of any Dominion to which the last preceding subsection applies as may be necessary to enable the appropriate relief to be granted :

(*b*) For prescribing the year which in relation to any Dominion income tax is, for the purposes of relief under this section, to be taken as corresponding to the year of assessment for the purposes of United Kingdom income tax.

(8) In this section :—

(*a*) The expression " Dominion " means any British possession, or any territory which is under His Majesty's protection or in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions :

(*b*) The expressions " United Kingdom income tax " and " United Kingdom super-tax " mean respectively income tax and super-tax chargeable in accordance with the provisions of the Income Tax Acts :

(*c*) The expression " Dominion income tax " means any income tax or super-tax charged under any law in force in any Dominion, if that tax appears to the Special Commissioners to correspond with United Kingdom income tax or super-tax :

(*d*) The expression " Dominion rate of tax " means the rate determined by dividing the amount of the Dominion income tax paid for the year by the amount of the income in respect of which the Dominion income tax is charged for that year, except that where the Dominion income tax is charged on an amount other than the ascertained amount of the actual profits the Dominion rate of tax for the purposes of this section shall be determined by the Special Commissioners.

For the purposes of this section, the rate of United Kingdom income tax shall be ascertained by dividing by the amount of the taxable income of the person concerned the amount of tax payable by that person on that income before deduction of any relief granted in respect of life assurance premiums or any relief granted under the provisions of this section, and the rate of United Kingdom super-tax shall be ascertained by dividing the amount of

the super-tax payable by any person by the amount of that person's total income from all sources as estimated for super-tax purposes.

Exemption in respect of income from scholarships.

28.—(1) Income arising from a scholarship held by a person receiving full-time instruction at a university, college, school, or other educational establishment, shall be exempt from income tax (including super-tax), and no account shall be taken of any such income in computing the amount of income for the purposes of the Income Tax Acts.

(2) In this section the expression "scholarship" includes an exhibition, bursary, or any other similar educational endowment.

(3) If any question arises whether any income is income arising from a scholarship held as aforesaid, the Commissioners of Inland Revenue may, on the request of the Income Tax Commissioners concerned, consult the Board of Education.

In the application of this subsection to Scotland and Ireland, the Scottish Education Department and the Lord Lieutenant, respectively, shall be substituted for the Board of Education.

Amendment of 9 & 10 Geo. 5. c. 32. s. 19.

29. Section nineteen of the Finance Act, 1919, shall have effect as though for the word "seventy" there were substituted the words "one hundred and five," for the word "sixty" there were substituted the word "ninety," and for the words "fifty-two" there were substituted the words "seventy-eight."

Extension of s. 25 of 9 & 10 Geo. 5. c. 32.

30. Section twenty-five of the Finance Act, 1919 (which relates to the tax on income from converted Government securities), shall apply to securities which have been exchanged for five and three-quarter per cent. Exchequer Bonds, 1925, or for any other Government securities which may be issued at any time after the commencement of this Act, as it applies to securities which have been accepted as the equivalent of cash in payment for allotments of Victory Bonds.

Computation of profits and gains for purposes of income tax in relation to corporation profits tax.

31. Paragraphs (1), (2) and (3) of Rule four of the Rules applicable to Cases I. and II. of Schedule D. (which provide for adjustment of income tax in cases where excess profits duty has been paid), shall have effect as if references therein to excess profits duty included corporation profits tax.

Consequential and minor amendments to 8 & 9 Geo. 5. c. 40.

32. The amendments specified in the second column of the Third Schedule to this Act, which are consequential or relate to minor details, shall be made in the provisions of the Income Tax Act, 1918, specified in the first column of that schedule.

Interpretation.

33. In this Part of this Act and in any subsequent enactment relating to income tax, except where otherwise expressly provided—

The expression "earned income" means income which is earned income within the meaning of section fourteen of the Income Tax Act, 1918, and also includes any income arising in respect of Civil List Pensions granted under

the Civil List Act, 1837, as amended by any subsequent enactment: 1 & 2 Vict. c. 2.

The expression "relative" includes any person of whom the person claiming a deduction had the custody and whom he maintained at his own expense while that person was under the age of sixteen years:

The expression "standard rate of tax" means the full rate of income tax charged for the year:

The expression "assessable income" in the case of any income other than earned income means the amount of that income as estimated in accordance with the provisions of the Income Tax Acts.

PART III.

STAMPS.

Stamp duty on receipts.

34. The stamp duty chargeable under the heading "RECEIPT" given for, or upon the payment of, money amounting to 2*l.* "or upwards" in the First Schedule to the principal Act, shall be twopence instead of one penny.

Stamp duty on scrip certificates, &c.

35. The stamp duty chargeable under the heading "SCRIP CERTIFICATE, SCRIP, or other document" in the First Schedule to the principal Act shall be twopence instead of one penny.

Stamp duty on transfers of stocks and marketable securities. 10 Edw. 7. c. 8.

36.—(1) The proviso to section seventy-three of the Finance (1909–10) Act, 1910 (which exempts from the operation of that section certain conveyances and transfers), shall not have effect as regards any conveyances or transfers whatsoever of any stocks or marketable securities, and accordingly the stamp duties chargeable on any such conveyances or transfers under the heading "CONVEYANCE OR TRANSFER on sale of any property" in the First Schedule to the principal Act shall be double those specified in that schedule.

(2) The stamp duties chargeable under the heading "CONVEYANCE OR TRANSFER whether on sale or otherwise" in the First Schedule to the principal Act shall, in the case of conveyances or transfers on sale or conveyances or transfers operating as voluntary dispositions inter vivos, be double those specified in that schedule.

Stamp duty on transfer of certain colonial and foreign stocks. 57 & 58 Vict. c. 30. 61 & 62 Vict. c. 10.

37.—(1) The stamp duty chargeable by way of composition for stamp duty under section one hundred and fourteen of the principal Act, as extended by section thirty-nine of the Finance Act, 1894, and section five of the Finance Act, 1898, shall be double the amount charged by the said section one hundred and fourteen.

(2) The stamp duty chargeable under section one hundred and fifteen of the principal Act by way of composition for stamp duty shall, in the case of accounts required to be delivered on or within seven days before the first day of August nineteen hundred and twenty, be eleven pence, and in the case of all accounts delivered subsequently be one shilling, for every

hundred pounds and any fraction of one hundred pounds over any multiple of one hundred pounds.

(3) Any agreement entered into before the passing of this Act between the Commissioners of Inland Revenue and any persons under any Act, other than the principal Act, for the payment to the Commissioners of any sums by way of composition for any stamp duty of a class in respect of which a composition may be made under section one hundred and fifteen of the principal Act shall cease to have effect as from the first day of September nineteen hundred and twenty, without prejudice to the power of the Commissioners and those persons to make any fresh agreement.

Stamp duty on marketable securities transferable by delivery, &c.

38. The stamp duties chargeable on any marketable securities transferable by delivery under paragraphs (1) (*a*) and (*c*), 3, and 4 of the heading "MARKETABLE SECURITY" in the First Schedule to the principal Act, and the stamp duty chargeable on marketable securities transferable by delivery, share warrants, stock certificates, and other instruments to bearer under subsection (1) of section four and section five of the Finance Act, 1899, on stock certificates to bearer under section eight of the Colonial Stock Act, 1877, and on certain marketable securities under section thirteen of the Finance Act, 1911, shall respectively be double the duties which would have been chargeable on these instruments immediately before the passing of this Act.

62 & 63 Vict. c. 9.
40 & 41 Vict. c. 59.

Stamp duty on statements as to capital of companies, &c.

39.—(1) On and after the twentieth day of April, nineteen hundred and twenty, one pound shall be substituted for five shillings—

(*a*) as the ad valorem stamp duty imposed by sections one hundred and twelve and one hundred and thirteen of the principal Act, as extended by section twelve of the Finance Act, 1896, on statements as regards the capital of the companies referred to in those sections; and

59 & 60 Vict. c. 28.

(*b*) as the ad valorem stamp duty payable under or by virtue of any private Act on any statements as regards the capital of any company; and

(*c*) as the ad valorem stamp duty imposed by section eleven of the Limited Partnerships Act, 1907, on statements with regard to the amounts contributed by limited partners to limited partnerships.

7 Edw. 7. c. 24.

(2) In the case of a company registered or otherwise incorporated, or an increase of capital authorised, on or after the twentieth day of April, nineteen hundred and twenty, and before the passing of this Act, a supplementary statement of the nominal share capital of the company or of the amount of the increase so authorised, as the case may be, shall, within fifteen days after the commencement of this Act, be delivered to the Commissioners of Inland Revenue duly stamped with

the additional duty of fifteen shillings for every one hundred pounds and any fraction of one hundred pounds over any multiple of one hundred pounds of the capital, or increase of capital, as the case may be.

If any supplementary statement required to be delivered under this subsection is not duly delivered in accordance with the requirements thereof, the duty chargeable on the statement, together with interest thereon at the rate of five per centum per annum from the date of the commencement of this Act, shall be recoverable from the company as a debt due to His Majesty.

Stamp duty on accident and indemnity policies.

40.—(1) The stamp duty chargeable under the heading "POLICY OF INSURANCE AGAINST ACCIDENT and POLICY of insurance for any payment agreed to be made during the sickness of any person or his incapacity from personal injury or by way of indemnity against loss or damage of or to any property" in the First Schedule to the principal Act shall be sixpence instead of one penny.

(2) The word "sixpence" shall be substituted for the words "one penny" in sections ninety-eight, ninety-nine, and one hundred and sixteen of the principal Act.

Stamp duty on policies of sea insurance.

41. For the stamp duties chargeable under paragraph (2) of the heading "POLICY OF SEA INSURANCE" in the First Schedule to the principal Act there shall be substituted the duties at the following rates, that is to say:—

		s.	d.
(*a*)	For or upon any voyage—		
	where the sum insured—		
	does not exceed 250*l.*	0	3
	exceeds 250*l.* but does not exceed 500*l.*	0	6
	„ 500*l.* „ „ 750*l.*	0	9
	„ 750*l.* „ „ 1,000*l.*	1	0
	„ 1,000*l.*, for every 500*l.* and any fractional part of 500*l.*	0	6
(*b*)	For time—		
	where the insurance is made for any time not exceeding six months, an amount equal to three times the amount which would be payable if the insurance were made upon a voyage;		
	where the insurance is made for any time exceeding six months and not exceeding twelve months, six times the amount which would be payable if the insurance were made upon a voyage.		

Reduction of duty in the case of certain transfer of stocks and marketable securities.

42.—(1) Where stock is transferred on sale to a dealer or his nominee, and the transfer bears, in addition to the stamp denoting the duty, an impressed stamp (hereinafter referred to as "the supplementary stamp") denoting that it has been stamped under the provisions of this section, the maximum duty chargeable on the transfer shall, subject to the provisions of this section, be ten shillings:

Provided that a transfer shall not be stamped with the supplementary stamp unless it is proved to the satisfaction of the Commissioners of Inland Revenue that the transaction to which effect is to be given by the transfer was a transaction carried out by the dealer in the ordinary course of his business as such dealer.

(2) Where a transfer has been stamped with the supplementary stamp under this section the dealer to whom or to whose nominee the transfer was made shall—

(*a*) immediately on the expiration of two months from the date of the transfer, furnish to the Commissioners of Inland Revenue a certificate in such form as the Commissioners may prescribe, showing what part, if any, of the stock comprised in the transfer has been transferred by him to a bona fide purchaser, and what part, if any, of the stock has not been so transferred, and shall produce such further evidence, by way of statutory declaration or otherwise, in relation to the matters aforesaid as the Commissioners may require; and

(*b*) if any part of the stock has not, before the expiration of the said two months, been so transferred as aforesaid, pay to the Commissioners within fourteen days after the expiration of that period a sum equal to the difference between the amount of the duty actually charged on the transfer and the amount of the ad valorem duty which would have been chargeable thereon if the stock comprised therein had been the stock which was not so transferred as aforesaid.

If any person fails to pay duly any sum which he is liable to pay under the provisions of this subsection, that sum, together with interest thereon at the rate of ten per cent. per annum from the date of the transfer, shall be recoverable from him as a debt due to His Majesty, and if any person fails to comply with any of the other provisions of this subsection a sum equal to the difference between the amount of the stamp duty actually charged on the transfer and the amount which would but for this section have been chargeable thereon, together with interest on that sum at the rate of ten per cent. per annum from the date of the transfer, shall be recoverable from him as a debt due to His Majesty.

(3) For the purposes of this section—

The expression "dealer" means a person who, being a member of a stock exchange in the United Kingdom, does not deal by way of business otherwise than with or through other members of that stock exchange or otherwise than as a principal, and does not carry on the business of a broker or agent;

The expression "stock" includes marketable security.

Interpretation and commencement. 54 & 55 Vict. c. 39.

43.—(1) In this Part of this Act the expression "principal Act" means the Stamp Act, 1891, and references to the principal Act or to any provision of the principal Act shall include references to that Act or to that provision as amended and extended by any subsequent enactment.

(2) This Part of this Act shall, save as therein otherwise expressly provided, come into operation on the first day of September nineteen hundred and twenty.

PART IV.

EXCESS PROFITS DUTY.

Continuance and increase of rate of excess profits duty. 5 & 6 Geo. 5. c. 89.

44.—(1) The Finance (No. 2) Act, 1915 (in this Part of this Act referred to as "the principal Act"), shall, so far as it relates to excess profits duty, apply, unless Parliament otherwise determines, to any accounting period ending on or after the fifth day of August nineteen hundred and twenty, and before the fifth day of August nineteen hundred and twenty-one, as it applies to accounting periods ended after the fourth day of August nineteen hundred and fourteen, and before the fifth day of August nineteen hundred and twenty.

(2) Section thirty-eight of the principal Act shall, as respects excess profits arising in any accounting period commencing on or after the first day of January nineteen hundred and twenty, have effect as if sixty per cent. of the excess were substituted as the rate of duty for forty per cent. of the excess, or, in the case of an accounting period which commenced before that date but ends after that date, as if sixty per cent. were substituted for forty per cent. as respects so much of the excess as may be apportioned under this Part of this Act to the part commencing on that date.

In calculating any repayment or set off under subsection (3) of section thirty-eight of the principal Act any amount to be repaid or set off on account of a deficiency or loss arising in any accounting period commencing on or after the first day of January nineteen hundred and twenty, or, in the case of an accounting period which has commenced before that date but ends after that date, on account of so much of the deficiency or loss as may be apportioned under this Part of this Act to the part commencing on that date, shall be calculated by reference to duty at the rate of sixty per cent.

Any additional duty payable by virtue of this section in respect of a past accounting period may be assessed and recovered notwithstanding that duty has already been assessed in respect of that period.

(3) In the case of a trade or business which is owned or carried on by any person who has served during the war as a member of any of the naval or military forces of the Crown, or of the Air Force or in service of a naval or military character

in connection with the war for which payment was made out of money provided by Parliament, or in any work abroad of the British Red Cross Society or the Order of St. John of Jerusalem or any other body with similar objects, and which was commenced by that person for the first time, or having been wholly discontinued by him during the war or some part of the war was recommenced by him, after his demobilisation or discharge, subsection (1) of section thirty-eight of the principal Act shall have effect as though "five hundred pounds" were substituted for "two hundred pounds."

Amendments as respects pre-war standard in accounting periods ending after 31st December 1919.

45. In the application of Part III. of the principal Act to excess profits duty for any accounting period ending after the thirty-first day of December, nineteen hundred and nineteen, the following provisions shall have effect :—

(1) For the pre-war standard of profit there shall, on the application of the taxpayer, be substituted a standard (in this section referred to as "the substituted standard") of an amount equal in the case of a trade or business which had no pre-war trade year to the statutory percentage on the average amount of capital employed in the first accounting period, and in the case of any other trade or business to the percentage standard with the addition in either case of a sum of five hundred pounds in respect of each working proprietor in the trade or business :

Provided that—

(*a*) the amount of the substituted standard shall not, as respects any trade or business, exceed the sum of seven hundred and fifty pounds in respect of each working proprietor in the trade or business; and

(*b*) in computing the profits of a trade or business in any accounting period as respects which the substituted standard is in force, no deduction shall be allowed in respect of the remuneration of any working proprietor; and

(*c*) where the accounting period is less than a year the substituted standard shall be proportionately reduced; and

(*d*) where a substituted standard has been adopted in the case of any trade or business for any accounting period the provisions of paragraph (4) of section twenty-six of the Finance Act, 1917, as amended by this Part of this Act, shall not have effect as regards that trade or business in respect of that accounting period.

7 & 8 Geo. 5. c. 31.

(*e*) Nothing in this paragraph shall affect the operation of any agreements made between the Food Controller and the owners of controlled

flour mills which provide for determining the amount of any payment to be made or received under such agreements by reference to the pre-war standard of profits, and any such agreements shall have effect as if this Act had not passed.

In this paragraph—

The expression "trade or business" means any trade or business carried on either by an individual or by persons in partnership or by a private company within the meaning of the Companies (Consolidation) Act, 1908; 8 Edw. 7 c. 69.

The expression "proprietor" means, as the case may be, the individual carrying on the business, any partner in the partnership, or any director of the company owning not less than twenty per cent. of the share capital or stock of the company;

The expression "working proprietor" means a proprietor who has, during not less than one half the accounting period, worked full time in the actual management or conduct of the trade or business, but no person shall be deemed to be a working proprietor in the same accounting period in respect of more than one trade or business;

Where any person who served during the war as a member of any of the naval or military forces of the Crown or of the Air Force or in service of a naval or military character in connection with the war, for which payment was made out of moneys provided by Parliament, or in any work abroad of the British Red Cross Society or the Order of St. John of Jerusalem or any other body with similar objects, and was before entering on such service working full time in the actual management or conduct of a trade or business, has died and the trade or business is being carried on for the benefit of his widow, the same standard shall be allowed for the trade or business as would have been allowed under the foregoing provisions of this section if the deceased person had been a working proprietor during the accounting period.

(2) Any trade or business carried on or owned by a company or other body corporate whose directors have a controlling interest shall, for the purpose of the provisions of the principal Act relating to the statutory percentage as amended by any other enactment, be treated as if it were a trade or business carried on or owned by a body other than a body corporate:

In this paragraph the expression "director" includes any person engaged in the management of the trade or business whose remuneration is provided out of the funds of the trade or business.

(3) In paragraph (4) of Part II. of the Fourth Schedule to the principal Act the words "during the first accounting period" shall be substituted for the words "during the accounting period."

Amendment of ss. (3) of s. 38 of 5 & 6 Geo. 5. c. 89. with respect to munitions exchequer payments.

46. For the purposes of any claim to repayment or set-off under subsection (3) of section thirty-eight of the principal Act (which provides for the repayment of excess profits duty paid and for a set-off against excess profits duty payable), any sum paid by the claimant by way of munitions exchequer payments shall be treated as though it were a sum paid by way of excess profits duty.

Amendments of s. 26 of 7 & 8 Geo. 5. c. 31. as respects accounting periods ending after 31st December 1919.

47. In the application of Part III. of the principal Act to excess profits duty for any accounting period ending after the thirty-first day of December, nineteen hundred and nineteen, section twenty-six of the Finance Act, 1917, shall have effect as though in paragraph (1) "five per cent." were substituted for "three per cent.," and as though in paragraph (4) for the words "five hundred pounds" and "two thousand pounds," respectively, wherever those words occur, there were substituted the words "two thousand pounds" and "four thousand pounds," respectively.

Allowance in respect of charitable contributions.

48. Where, out of the profits of a trade or business, any contribution has been made after the sixteenth day of July, nineteen hundred and twenty, to any trust, society, or body of persons in the United Kingdom established solely for the purpose of the relief of the poor or the sick, or for the advancement of religion, education, or for scientific research, there shall, for the purposes of excess profits duty, be allowed, in the computation of the profits of the trade or business arising in the accounting period within which such contribution was made, a deduction in respect of such contribution of an amount not exceeding five per cent. of those profits as calculated for the purposes of excess profits duty (before adjustment for increased or decreased capital and before making any deduction under this section), and not exceeding twenty per cent. of the amount of such contribution.

This section shall not apply to any contribution which, apart from the provisions of this section, would be admissible as a deduction from profits for the purposes of excess profits duty.

Increase of rate of excess mineral rights duty.

49.—(1) Section forty-three of the principal Act (which relates to excess mineral rights duty) shall have effect as if sixty per cent. of the excess were substituted as the rate of duty for forty per cent. for any accounting year commencing on or after the first day of January nineteen hundred and

twenty, or, in the case of an accounting year which commenced before that date but ends after that date, as if sixty per cent. were substituted for forty per cent. as respects so much of the excess as may be apportioned under this Act to the part commencing on that date, and any additional duty may be recovered accordingly.

(2) The proviso to section twenty-one of the Finance Act, 1917, shall apply to any accounting year in respect of which or any part of which excess mineral rights duty is payable under this Part of this Act at the rate of sixty per cent., as it applies where the said duty is payable at the rate of eighty per cent.

Apportionment of accounting periods and years.

50. Where part of an accounting period or of an accounting year is after, and part before, the beginning of the first day of January nineteen hundred and twenty, the total excess profits and any deficiencies or losses arising in any such accounting period, and the total excess rent for any such accounting year, shall be apportioned between the time up to, and the time after, that date in proportion to the number of months or fractions of months before and after that date respectively.

Interpretation.

51. In this Part of this Act references to the principal Act, or to any provisions of that Act, shall be construed as references to that Act, or those provisions as amended and extended by any subsequent enactment.

PART V.

CORPORATION PROFITS TAX.

Charge of corporation profits tax.

52.—(1) Subject as provided in this Act, there shall be charged, levied, and paid on all profits being profits to which this Part of this Act applies and which arise in an accounting period ending after the thirty-first day of December nineteen hundred and nineteen, a duty (in this Act referred to as "corporation profits tax") of an amount equal to five per cent. of those profits:

Provided that—

(*a*) where the profits are profits arising in an accounting period of twelve months, no tax shall be charged on the first five hundred pounds thereof, and where the profits are profits arising in some shorter accounting period, no tax shall be charged on such amount of the profits as bears to five hundred pounds the same proportion as the shorter accounting period bears to twelve months; and

(*b*) the amount of tax payable in respect of the profits of a British company for any accounting period shall in no case exceed the amount represented by ten per cent. of the balance of the profits of that period

estimated in accordance with the provisions of this Part of this Act, after deducting from the amount of those profits any interest or dividends actually paid out of those profits at a fixed rate on any debentures, debenture stock, preference shares (so far as the dividend paid thereon is at a fixed rate), or permanent loan issued before the commencement of this Act, or on any debentures, debenture stock, or permanent loan issued after that date for the purpose of replacing an equal amount of any debentures, debenture stock, or permanent loan issued before that date.

(2) The profits to which this Part of this Act applies are, subject as hereinafter provided, the following, that is to say :—

(*a*) the profits of a British company carrying on any trade or business, or any undertaking of a similar character, including the holding of investments :

(*b*) the profits of a foreign company carrying on in the United Kingdom any trade or business, or any undertaking of a similar character, so far as those profits arise in the United Kingdom :

Provided that this Part of this Act shall not, during the period between the first day of January, nineteen hundred and twenty, and the thirty-first day of December, nineteen hundred and twenty-two, apply to the profits of—

(i) a company which carries on wholly in the United Kingdom any gas, water, electricity, tramway, hydraulic power, dock, canal, or railway undertaking, and which by, or by virtue of, any Act is precluded either from charging any higher price, or from distributing any higher rate of dividend than that authorised by, or by virtue of, the Act; or

(ii) any company being a building society.

(3) In this Part of this Act—

The expression " company " means any body corporate so constituted that the liability of its members is limited, but does not include a company formed before the commencement of this Act whose assets consist wholly of stock or other securities issued by any public authority and formerly held by the persons by whom the company was formed :

The expression " British company " means any company incorporated by or under the laws of the United Kingdom :

The expression " foreign company " means any company which is not a British company :

The expression " permanent loan " means a loan of a permanent character which is secured by mortgage or

debentures or otherwise on the assets or income of a company and which, if subject to repayment, is subject to repayment at not less than three months' notice.

Determination of profits.

53.—(1) For the purpose of this Part of this Act, profits shall be taken to be the actual profits arising in the accounting period, and shall not be computed by reference to the income tax year or on the average of any years.

(2) Subject to the provisions of this Act, profits shall be the profits and gains determined on the same principles as those on which the profits and gains of a trade would be determined for the purposes of Schedule D. set out in the First Schedule to the Income Tax Act, 1918, as amended by any subsequent enactment, whether the profits are assessable to income tax under that schedule or not:

Provided that, for the purpose of this Part of this Act,—

(*a*) profits shall include all profits and gains arising from any lands, tenements, or hereditaments forming part of the assets of a company, and all interest, dividends, and other income arising from investments or any other source and received in the accounting period, not being interest, dividends, or income received directly or indirectly from a company liable to be assessed to corporation profits tax in respect thereof, and no deduction shall be allowed on account of the annual value of any premises used for the purposes of the company:

(*b*) deductions shall be allowed in respect of interest on money borrowed for the purposes of the company, and of rent or royalties or share of profits distributed to employees under a profit-sharing scheme, and of any other payment income tax on which is collected at the source, not being payments of dividends or payments for the distribution of profits, so, however, that no deduction shall be allowed in respect of royalties paid to or interest on money borrowed from, a person having a controlling interest in the company, whether directly or indirectly, or whether solely or jointly with other persons, or in respect of interest paid on permanent loans:

(*c*) any deduction allowed in respect of the remuneration of any director, manager or other person concerned in the management of a company, who has a controlling interest in the company, whether directly or indirectly, and whether solely or jointly with any other persons, shall not exceed an amount calculated at the rate of one thousand pounds per annum:

(*d*) no deduction shall be allowed in respect of any transaction or operation of any nature, which has artificially reduced the amount to be taken as the amount of the profits of the company for the purposes of this Part of this Act:

(*e*) no deduction on account of wear and tear or renewals or obsolescence or any expenditure of a capital nature for the development of the company or otherwise in respect thereof shall be allowed other than such as may be allowed under the enactments relating to income tax or excess profits duty, whichever be the greater:

(*f*) no deduction shall be allowed on account of the liability to pay, or the payment of, income tax or corporation profits tax:

(*g*) a deduction shall be allowed on account of any excess profits duty, any mineral rights duty and excess mineral rights duty payable or paid in the United Kingdom and for any sum payable or paid on account of excess profits duty or similar duty imposed in any country outside the United Kingdom for the same accounting period, but in computing profits for the purposes of excess profits duty in the United Kingdom no deduction shall be allowed on account of the liability to pay or the payment of tax under this Part of this Act:

(*h*) profits shall include in the case of mutual trading concerns the surplus arising from transactions with members, and in the case of a society registered under the Industrial and Provident Societies Act, 1893, any sums paid by way of bonus, discount or dividend on purchases, shall be treated as trade expenses, and a deduction shall accordingly be allowed in respect thereof:

56 & 57 Vict. c. 39.

(*i*) in the case of a company carrying on the business of life assurance the part of the profits belonging or allocated to, reserved for or expended on behalf of policy holders or annuitants shall be apportioned between the profits of the company directly liable to assessment to corporation profits tax and the profits not so liable, and a deduction shall be allowed of the amount so apportioned to the profits so liable:

Where a company carries on life assurance business in conjunction with assurance business of any other class the life assurance business of the company shall, for the purposes of apportionment under this paragraph but for no other purpose, be treated as if it were a separate business carried on by a separate company:

(*j*) any sum received by way of repayment of excess profits duty in respect of a previous accounting period under subsection (3) of section thirty-eight of the Finance (No. 2) Act, 1915, and subsequent amendments thereof shall be excluded from the profits taxable:

(*k*) in the case of any contract extending beyond one accounting period from the date of its commencement to the completion thereof, and only partially performed in any accounting period, there shall (unless the Commissioners of Inland Revenue owing to any special circumstances otherwise direct) be attributed to each of the accounting periods in which such contract was partially performed such proportion of the entire profits or loss, or estimated profits or loss, in respect of the complete performance of the contract as shall be properly attributable to such accounting periods respectively, having regard to the extent to which the contract was performed in such periods.

(3) Where a company (hereinafter referred to as "the principal company") holds either in its own name or in that of a nominee the whole of the ordinary capital of any other company (hereinafter referred to as "the subsidiary company") or so much of that capital as under the general law can lawfully be held by a single shareholder, the profits of the subsidiary company shall, if an application in that behalf is made by the principal company, be treated for the purposes of this Part of this Act as being the profits of the principal company as if the subsidiary company were a branch of the principal company, and the subsidiary company shall not be separately assessed to tax under this Part of this Act:

Provided that in ascertaining, under paragraph (*b*) of subsection (1) of the last preceding section, the maximum amount of tax payable by the principal company, no deduction shall be allowed in respect of any payments made by the subsidiary company to the principal company, or any other company which in relation to the principal company is a subsidiary company within the meaning of this subsection.

Determination of accounting period.

54.—(1) For the purposes of the tax under this Part of this Act, the accounting period shall be a period of twelve months ending on the date up to which the accounts of the company are usually made up:

Provided that, where the accounts of a company have been made up for a period greater or less than twelve months, or where the accounts have not been made up or where the company has ceased to carry on business or has transferred its business or part of its business to some other person, the accounting

period shall be such period not exceeding twelve months as the Commissioners of Inland Revenue may determine.

(2) In the case of a company which was in existence before the beginning of the first day of January, nineteen hundred and twenty, the first accounting period for the purpose of this Part of this Act shall be the first accounting period of the company which ends after that date:

Provided that, where part of an accounting period is after and part before the beginning of the first day of January, nineteen hundred and twenty, the total profits of the accounting period shall be apportioned between the period up to and the period beginning on that date in proportion to the respective lengths of those periods, and corporation profits tax shall be charged only on so much of the profits as are apportioned to the period beginning on that date, and that period shall be deemed to be an accounting period for the purpose of this Part of this Act.

(3) The Commissioners of Inland Revenue may, if they think fit, divide any periods for which accounts have been made up, and may make such apportionments or aggregations of profits and losses as may be necessary for the purpose of estimating the profits or losses for the yearly accounting period, or for any other purpose of this Part of this Act.

Any apportionment under this subsection shall be made in proportion to the number of months or fractions of months in the respective periods representing the divided periods.

Returns for purpose of Part V. and penalty for fictitious transactions.

55.—(1) The Commissioners of Inland Revenue may, for the purposes of this Part of this Act, require the secretary of a company or other officer (by whatever name called) performing the duties of secretary of the company, or, in the case of a foreign company, any person being an agent, manager, factor, or representative (by whatsoever name called) of the company, to furnish them within two months after the requirement for the return is made with returns of the profits of the company during any accounting period and such other particulars in connection therewith as the Commissioners may require.

(2) Where the profits of any company are chargeable to corporation profits tax under this Part of this Act, it shall be the duty of every person who may be required to make a return under this section to give notice that the profits are so chargeable to the Commissioners of Inland Revenue within six months of the end of the period for which the accounts of the company are made up, unless he has been previously required by the Commissioners to make a return under this section, and it shall be the duty of the liquidator of every company which is being wound up at the time of the commencement of this Act or is wound up after the commencement of this Act, and is chargeable to corporation profits tax, to give notice of the fact to the Commissioners of Inland Revenue.

(3) If any person fails to furnish a proper return in accordance with the foregoing provisions of this section or to comply with any requirement of the Commissioners under this section, or to give any notice required by this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds and to a further fine not exceeding ten pounds a day for every day during which the offence continues after conviction therefor.

(4) A company shall not, for the purpose of avoiding the payment of corporation profits tax, enter into or carry out any fictitious or artificial transaction.

If any company acts in contravention of this provision, the company, and in the case of a foreign company the agent, manager, factor, or other representative of the company, shall be liable on summary conviction to a fine not exceeding five hundred pounds.

Supplementary provisions as to corporation profits tax.

56.—(1) Corporation profits tax shall be assessed by the Commissioners of Inland Revenue and shall be payable on the expiration of two months from the date on which it is assessed.

(2) Where a company on whose profits the tax is to be assessed is a British company, the tax shall be assessed on the company, and where the company on whose profits the tax is to be assessed is a foreign company the tax shall be assessed on the company in the name of any agent, manager, factor or other representative of the company.

(3) Where a company is in the course of being wound up, the liquidator, receiver or other person having the control of the assets of the company shall not distribute the same until provision has been made to the satisfaction of the Commissioners of Inland Revenue for the payment of any corporation profits tax for which the company may be liable.

Any liquidator, receiver or such other person as aforesaid who distributes the assets of the company without making such provision as aforesaid shall be liable to a fine not exceeding three times the amount of any corporation profits tax which may be payable.

(4) An assessment (including an additional assessment) may be made by the Commissioners of Inland Revenue at any time within three years after the end of the accounting period in respect of the profits of which the assessment is made, and in the absence of a satisfactory return or other information on which to make an assessment the Commissioners may make an assessment according to the best of their judgment.

(5) The amount of corporation profits tax payable shall be recoverable as a debt due to His Majesty from the company on which it is assessed, or in the case of a foreign company from the person in whose name the company is chargeable, and where the amount of tax payable is less than fifty pounds

the tax shall, without prejudice to any other remedy, be recoverable summarily as a civil debt.

(6) Any company which is dissatisfied with the amount of any assessment made upon it by the Commissioners of Inland Revenue under this Part of this Act may appeal to the Commissioners for the general purposes of income tax acting for the division in which the company is assessed for income tax or to the Commissioners for the special purposes of the Income Tax Acts, and those Commissioners shall have power on any appeal, if they think fit, to summon witnesses and examine them upon oath.

The power under section one hundred and ninety-six of the Income Tax Act, 1918, to require an appeal in Ireland to the Special Commissioners to be reheard by the county court judge, or chairman of quarter sessions, or recorder, shall apply to an appeal in Ireland under this provision.

Section one hundred and forty-nine of the Income Tax Act, 1918 (which relates to the statement of a case on a point of law), shall apply with the necessary modifications in the case of any appeal to the General or Special Commissioners under this section, or of the rehearing of any such appeal in Ireland, as it applies in the case of appeals to the General or Special Commissioners under the Income Tax Acts.

(7) The Commissioners of Inland Revenue may make regulations with respect to the assessment and collection of the corporation profits tax and the hearing of appeals under this section, and may by those regulations apply and adapt any enactments relating to the assessment and collection of income tax, or the hearing of appeals as to income tax by the General or Special Commissioners, which do not otherwise apply.

(8) All Commissioners and other persons employed for any purpose in connection with the assessment or collection of corporation profits tax shall be subject to the same obligations as to secrecy with respect to corporation profits tax as those persons are subject to with respect to income tax, and any oath taken by any such person as to secrecy with respect to income tax shall be deemed to extend also to secrecy with respect to corporation profits tax.

PART VI.

LAND VALUES DUTIES.

Repeal of land values duties.
10 Edw. 7. c. 8.

57.—(1) As from the commencement of this Act the land values duties shall cease to be chargeable, and the obligation of the Commissioners of Inland Revenue under section twenty-six of the Finance (1909–10) Act, 1910, to cause a valuation to be made of all land in the United Kingdom shall cease.

(2) Any land value duty which has been assessed at the date of the commencement of this Act but which is unpaid at that date shall not be collected, and no assessment shall be made in respect of any land value duty which became chargeable before that date.

(3) Where any person shows to the satisfaction of the Commissioners of Inland Revenue that he or any person of whom he is, in the opinion of the Commissioners, the legal representative has at any time paid any sum on account of any land value duty, he shall, on making an application in that behalf to the Commissioners at any time within six months after the date of the commencement of this Act and in such form as may be prescribed by the Commissioners, be entitled to repayment of the sum so paid.

(4) Where an immediate lessor has paid or borne any annual increment value duty and has made a deduction in respect of that duty from the rent payable by him to his lessor, he shall, on obtaining a repayment under this section of that duty, refund to the lessor or the representative of the lessor a sum equal to the amount so deducted.

(5) In this section the expression "land values duties" means the increment value duty (including annual increment value duty), reversion duty, and undeveloped land duty imposed by Part I. of the Finance (1909–10) Act, 1910, but does not include mineral rights duty.

PART VII.

GENERAL.

Reduction of debt.

58.—(1) Any amount applied out of revenue during the current financial year in purchasing, redeeming, or paying off any description of debt shall be deemed to be expenditure within the meaning of sections four and five of the Sinking Fund Act, 1875. 38 & 39 Vict. c. 45.

(2) Any sums issued out of the Consolidated Fund for the purpose of the depreciation fund under section thirty-two of the Finance Act, 1917, and any sums so issued to the Commissioners of Inland Revenue in respect of any securities transferred to those Commissioners by way of payment for Death Duties or Excess Profits Duty, and any sums so issued to the National Debt Commissioners for the purpose of the purchase by those Commissioners of four pounds per cent. Victory Bonds or four pounds per cent. Funding Loan, 1960–90, shall, for the purposes of this section, be deemed to be sums applied in purchasing, redeeming, or paying off debt.

Power to borrow on national savings certificates for purposes of investment in local loans, stock, and redemption of loans.

59.—(1) The Treasury may, at any time after the thirtieth day of September, nineteen hundred and twenty, borrow in accordance with the provisions of this section such sums as they think proper to raise for the purpose of being invested or applied in manner provided by this section.

(2) Any sums which may be raised under this section shall be raised by the issue through the Post Office of national savings certificates, and any certificates so issued shall bear such rate of interest and shall be subject to such conditions as to repayment or otherwise as the Treasury think fit.

(3) The principal of and interest on any national savings certificates issued under this section and any expenses incurred in connection with the issue thereof shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

(4) The Treasury shall, from time to time as they think fit, issue out of the Consolidated Fund or the growing produce thereof to the National Debt Commissioners sums equal to one-half of the moneys raised under this section, and any sums so issued to the National Debt Commissioners shall as soon as practicable be invested by those Commissioners in local loans, stock or in bonds secured on the Local Loans Fund and may, pending such investment, be invested temporarily in such manner, subject to the approval of the Treasury, as the Commissioners think proper.

(5) All sums received by the National Debt Commissioners by way of interest on investments made by them under this section shall be paid into the Exchequer.

(6) The Treasury shall, from time to time as they think fit, issue out of the Consolidated Fund or the growing produce thereof and apply in the purchase, redemption, or paying off of any description of debt sums equal to one-half of the moneys raised under this section together with the sums paid into the Exchequer by the National Debt Commissioners under this section.

(7) The powers conferred on the Treasury by this section shall be in addition to and not in derogation of any other power to borrow for the time being exerciseable by the Treasury.

Amendment of s. 1 of 9 & 10 Geo. 5. c. 6.

60. Paragraph (*c*) of the proviso to subsection (1) of section one of the Civil Contingencies Fund Act, 1919, which requires sums issued under that Act to be repaid to the Exchequer not later than the thirtieth day of September nineteen hundred and twenty, shall have effect as though the thirtieth day of September nineteen hundred and twenty-one were therein substituted for the thirtieth day of September nineteen hundred and twenty.

Provision for cases where assessments, returns, &c. have been lost, destroyed, or damaged.

61.—(1) Where any assessment to income tax, excess profits duty, or munitions exchequer payments for any year or period, or any duplicate of assessment to income tax for any year, or any return or other document relating to income tax, excess profits duty, or munitions exchequer payments, has been lost or destroyed, or has been so defaced or damaged as to be illegible or otherwise useless, the commissioners, surveyors, assessors, collectors, and other officers respectively having powers in relation to income tax, excess profits duty, or munitions exchequer payments, as the case may be, may, notwithstanding anything in any enactment to the contrary, do all such acts and things as they might have done, and all acts and things done under or in pursuance of this section shall be as valid and

effectual, for all purposes as they would have been if the assessment or duplicate of assessment had not been made, or the return or other document had not been made or furnished, or required to be made or furnished:

Provided that, where any person who is charged with income tax, excess profits duty, or munitions exchequer payments in consequence or by virtue of any act or thing done under or in pursuance of this section, proves to the satisfaction of the Commissioners having jurisdiction in the case that he has already paid any income tax, excess profits duty, or munitions exchequer payments for the same year or period in respect of the subject matter and on the account in respect of and on which he is so charged, relief shall be given to the extent to which the liability of that person has been discharged by the payment so made either by abatement from the charge or by repayment, as the case may require.

(2) In this section, the expression "Commissioners" means as the case may require, either the Commissioners of Inland Revenue or the Income Tax Commissioners concerned and the expression "income tax" includes "super-tax."

Charge for road improvement grant. 5 & 6 Geo. 5. c. 89.

62. Section forty-nine of the Finance (No. 2) Act, 1915 (which provides for the suspension of the road improvement grant), shall cease to operate as regards the net proceeds of any duties on motor spirit and any duties on licences for carriages collected on or after the first day of April, nineteen hundred and twenty, and the charge on the Consolidated Fund under section ninety of the Finance (1909–10) Act, 1910, for the road improvement grant shall come into operation again accordingly.

Amendment of s. 12 of 61 & 62 Vict. c. 10.

63.—(1) Section twelve of the Finance Act, 1898, as amended by section twenty-one of the Finance (No. 2) Act, 1915 (which grants an exemption or abatement from land tax in certain cases), shall have effect as though for the words "such owner has been "allowed in that year relief from income tax by reason of his "income not exceeding one hundred and sixty pounds" there were substituted the words "the total income of the owner for "that year is proved not to exceed one hundred and sixty "pounds," and as if for the words "such owner has been "allowed in that year an abatement of income tax by reason "of his income not exceeding four hundred pounds," there were substituted the words "the total income of the owner for that "year is proved not to exceed four hundred pounds."

(2) In this section the expression "total income" means the total income as estimated in accordance with the provisions of the Income Tax Acts, and the expression "proved" means proved in manner provided by section twenty-eight of the Income Tax Act, 1918.

Construction, short title, and repeal. 39 & 40 Vict. c. 46.

64.—(1) Part I. of this Act, so far as it relates to duties of customs, shall be construed together with the Customs Consolidation Act, 1876, and any enactments amending that Act,

and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

Part II. of this Act shall be construed together with the Income Tax Acts.

Part III. of this Act shall be construed together with the Stamp Act, 1891.

Part IV. of this Act shall be construed together with Part III. of the Finance (No. 2) Act, 1915.

(2) This Act may be cited as the Finance Act, 1920.

(3) The Acts set out in the Fourth Schedule of this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

Section 3.

FIRST SCHEDULE.

PART I.

ORDINARY CUSTOMS DUTIES ON SPIRITS.

1. Description of Spirits.	2. Preferential Rates.		3. Full Rates.	
	In Cask.	In Bottle.	In Cask.	In Bottle.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For every gallon computed at proof of—				
Brandy or rum	3 12 10	3 13 10	3 15 4	3 16 4
Imitation rum or geneva	3 12 11	3 13 11	3 15 5	3 16 5
Unsweetened spirits other than those already enumerated	3 12 11	3 12 11	3 15 5	3 15 5
For every gallon of perfumed spirits	5 16 0	5 17 0	6 0 0	6 1 0
For every gallon of liqueurs, cordials, mixtures and other preparations in bottle entered in such manner as to indicate that the strength is not to be tested	—	4 19 1	—	5 2 5
For every gallon computed at proof of spirits of any description not heretofore mentioned, including naphtha and methylic alcohol purified so as to be potable, and mixtures and preparations containing spirit	3 12 11	3 13 11	3 15 5	3 16 5

PART II.

ADDITIONAL CUSTOMS DUTIES IN RESPECT OF IMMATURE SPIRITS.

Description of Spirits.	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.	Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.
	s. *d.*	*s.* *d.*
For every gallon computed at proof of spirits of any description except perfumed spirits	1 0	1 6
For every gallon of liqueurs, cordials, mixtures, and other preparations entered in such manner as to indicate that the strength is not to be tested - - - - -	1 4	2 0
For every gallon of perfumed spirits - - - - -	1 7	2 5

PART III.

ADDITIONAL EXCISE DUTIES IN RESPECT OF IMMATURE SPIRITS.

Description of Spirits.	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.	Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.
	s. *d.*	*s.* *d.*
For every gallon of spirits computed at proof - - -	1 0	1 6

Section 13.

SECOND SCHEDULE.

DUTIES ON MECHANICALLY PROPELLED VEHICLES.

Description of Vehicle.	Rate of Duty.
1. Cycles (including motor scooters and cycles with an attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight unladen :—	
Bicycles—	
Not exceeding 200 lbs. in weight unladen	£1 10*s.*
Exceeding 200 lbs. in weight unladen	£3
Bicycles, if used for drawing a trailer or side-car, an additional sum of £1.	
Tricycles	£4
2. Vehicles (including cycles with an attachment for propelling the same by mechanical power) not exceeding 5 cwt. in weight unladen adapted and used for invalids	5*s.*

3. Vehicles being hackney carriages as defined in section four of the Customs and Inland Revenue Act, 1888 :—

	In the Metropolitan Police area and such other districts as the Minister of Transport may fix.	In all other districts.
Tramcars	15*s.*	15*s.*
Other vehicles :		
Seating not more than 6 persons	£15	£12
Seating more than 6 but not more than 14 persons	£30	£24
Seating more than 14 but not more than 20 persons	£45	£36
Seating more than 20 but not more than 26 persons	£60	£48
Seating more than 26 but not more than 32 persons	£72	£60
Seating more than 32 persons	£84	£70
In this paragraph the number of persons mentioned does not include the driver of the vehicle.		

4. Vehicles of the following descriptions used solely in the course of trade, or in agriculture (that is to say) :—

Locomotive ploughing engines, tractors, agricultural tractors, and other agricultural engines, not being engines or tractors used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements, or supplies of fuel or water required for the purposes of the vehicle or for agricultural purposes	5*s.*

Road locomotives and agricultural engines, other than such engines in respect of which a duty of 5*s.* is chargeable or which are used for haulage solely in connection with agriculture—	
Not exceeding 8 tons in weight unladen	£25
Exceeding 8 tons but not exceeding 12 tons in weight unladen	£28
Exceeding 12 tons in weight unladen	£30
Tractors, agricultural tractors, and agricultural engines, other than such tractors or engines in respect of which a duty of 5*s.* is chargeable, used for haulage solely in connection with agriculture—	
Not exceeding 5 tons in weight unladen	£6
Exceeding 5 tons in weight unladen	£10
Tractors of any other description	£21

5. Vehicles (including tricycles weighing more than 8 cwt. unladen) constructed or adapted for use and used solely for the conveyance of goods in the course of trade—

Being vehicles which are electrically propelled and which do not exceed 25 cwt. in weight unladen	£6
Being vehicles other than such electrically propelled vehicles as aforesaid.	
Not exceeding 12 cwt. in weight unladen	£10
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	£16
Exceeding 1 ton but not exceeding 2 tons in weight unladen	£21
Exceeding 2 tons but not exceeding 3 tons in weight unladen	£25
Exceeding 3 tons but not exceeding 4 tons in weight unladen	£28
Exceeding 4 tons in weight unladen	£30
With an additional duty, in any case if used for drawing a trailer, of	£2

6. Any vehicles other than those charged with duty under the foregoing provisions of this schedule :—

Not exceeding 6 horse power or electrically propelled	£6
Exceeding 6 horse power	£1 for each unit or part of a unit of horse power.

☞ If any person proves to the satisfaction of the authority charged with levying the duty that he has paid in respect of any vehicle the duty chargeable under this paragraph, and that the engine of the vehicle was constructed before the first day of January nineteen hundred and thirteen, he shall be entitled to repayment of twenty-five per cent. of the duty paid.

THIRD SCHEDULE.

Section 32.

CONSEQUENTIAL AND MINOR AMENDMENTS OF INCOME TAX ACT, 1918.

Enactments to be amended.	Nature of Amendment.
Section 4 - - -	The words "two thousand pounds" shall be substituted for the words "two thousand five hundred pounds."
Section 5 - - -	For the words "estimated for the purposes of exemption or abatement under this Act" there shall be substituted the words "required to be estimated in a return made in connection with any claim for a deduction from assessable income."
Section 16 - - -	A reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement or relief under the preceding provisions of Part III. of the Income Tax Act, 1918.
Section 17 - - -	The words "allowance or deduction" shall be substituted for the words "exemption, abatement."
Section 18 - - -	The words "the Income Tax Acts" shall be substituted for the words "any exemption, abatement, or relief under this Act."
Section 19 - - -	A reference to any claim for an allowance or deduction shall be substituted for the reference to the claim under the preceding provisions of Part III. of the Income Tax Act, 1918.
Section 20 - - -	A reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement, or relief under the preceding provisions of Part III. of the Income Tax Act, 1918.
Section 22 - - -	A reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement, or relief which is dependent wholly or partially on total annual income.
Section 23 - - -	The words "allowance or deduction" shall be substituted for the words "exemption, abatement, or relief."
Section 27 - - -	A reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement, or relief under the preceding provisions of Part III. of the Income Tax Act, 1918.
Section 28 - - -	A reference to claims for any allowance or deduction shall be substituted for the reference to claims under the preceding provisions of Part III. of the Income Tax Act, 1918.
Section 29 - - -	The words "allowance or deduction" shall be substituted for "exemption, abatement."

Enactments to be amended.	Nature of Amendment.
Section 30 - - -	A reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement, or relief therein-before described in the Income Tax Act, 1918.
Section 32 - - -	In subsection (2) the word "annual" shall be omitted. In paragraph (*a*) of subsection (3) the word "chargeable" shall be omitted, and the words "the provisions of the Income Tax Acts" shall be substituted for the words "this Act." Paragraph (*b*) of subsection (3) shall be omitted. Subsection (4) shall be omitted.
Section 39 - - -	The following shall be substituted for pro-viso (i) to paragraph (*b*) of subsection (3). "Any such interest shall be chargeable under Case III. of Schedule D."
Section 105 - - -	In paragraph (*b*) of subsection (1) the words "one hundred and fifty pounds" shall be substituted for the words "the sum for "the time being fixed as the limit for total "exemption from tax."
Section 236 - - -	The words "allowance or deduction" shall be substituted for the words "exemption, abatement."
First Schedule - -	In paragraph (5) of Rule 8 of No. V. in Schedule A. the words "the Income Tax Acts which relate to claims for any allowance or deduction" shall be substituted for the words "this Act which relates to claims for exemption, abatement, or relief."
Fifth Schedule - -	In paragraph XVII. a reference to any allowance or deduction shall be substituted for the reference to any exemption, abatement, or relief, dependent on total income.

NOTE.—In this schedule the expression "allowance or deduction" means any allowance, deduction, or reduction of rate made or allowed under sections sixteen to twenty-three, both inclusive, of this Act.

FOURTH SCHEDULE.

Section 64.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
59 & 60 Vict. c 36.	The Locomotives on Highways Act, 1896.	Section eight, as from the 1st day of January 1921.

Session and Chapter.	Short Title.	Extent of Repeal.
62 & 63 Vict. c. 9.	The Finance Act, 1899.	Section two.
10 Edw.7. c. 8.	The Finance (1909–10) Act, 1910.	Sections one to three; subsection (1) of section four; in subsection (2) of section four the words "for the "purpose of the assessment of duty "thereon," and the words "and "to pay interest at the rate of "five per cent. per annum on any "duty ultimately payable by him "as from the date on which the "instrument has been executed"; in subsection (3) of section four the words from "(*a*) either" to "assessment or," and the words from "which in their opinion" to the end of the subsection; subsection (4) of section four; in subsection (5) of section four the words from "and with respect" to the end of the subsection; subsection (6) of section four and in subsection (7) of section four the words from "but the Commissioners" to the end of the subsection; sections five to nineteen; in subsection (4) of section twenty-one the words from "or where" to "that duty," the words "or "increment value duty as the case "may be," the words "or reduction" and the words "or reduction as the case may be"; sections twenty-two, twenty-three, twenty-five to twenty-nine; subsection (4) of section thirty-one; section thirty-two; in subsection (1) of section thirty-five the words from "and any increment" to the end of the subsection; sections thirty-six to forty; in section forty-one the definitions of "rentcharge," "rent," "incumbrance," "fixed charge," "owner," and "agriculture"; in paragraph (1) of section forty-two the definition of "rent," "rentcharge," "owner," "feeholder," and "incumbrance"; paragraph (3) of section forty-two to "accordingly"; section sixty-two; in section seventy-three the words "the conveyance or transfer "of any stock or marketable secu-"rity as defined by section one "hundred and twenty-two of that

Session and Chapter.	Short Title.	Extent of Repeal.
10 Edw.7. c. 8. —*cont.*	The Finance (1909-10) Act, 1910— *cont.*	"Act or to" and "as from the 1st day "of January, 1921, section eighty-"four: as from the 1st day of "July, 1921, section eighty-five; "as from the 1st day of January, "1921, section eighty-six; and as "from the 1st day of July, 1921, "the Fifth Schedule."
1 & 2 Geo. 5. c. 2.	The Revenue Act, 1911.	Sections one to six.
1 & 2 Geo. 5. c. 48.	The Finance Act, 1911.	As from the 1st day of January, 1921, section eleven; and as from the 1st day of July, 1921, section twelve.
2 & 3 Geo. 5. c. 8.	The Finance Act, 1912.	Section ten.
5 & 6 Geo. 5. c. 62.	The Finance Act, 1915.	Section five.
5 & 6 Geo. 5. c. 89.	The Finance (No. 2) Act, 1915.	Subsection (5) of section twenty-one; section forty-nine; as from the 1st day of January, 1921, subsections (1) and (2) of section ten; and as from the 1st day of July, 1921, subsection (3) of section ten and section fourteen.
6 & 7 Geo. 5. c. 24.	The Finance Act, 1916.	Sections thirteen and fourteen as from the 1st day of January, 1921.
7 & 8 Geo. 5. c. 31.	The Finance Act, 1917.	Section nine as from the 1st day of January, 1921.
8 & 9 Geo. 5. c. 15.	The Finance Act, 1918.	Sections eighteen to twenty.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918.	Sections nine to thirteen; subsections (1) and (2) of section fourteen; sections fifteen; twenty-one, twenty-four, twenty-six, thirty-one, forty-two, fifty, fifty-two, and fifty-five.
9 & 10 Geo. 5. c. 32.	The Finance Act, 1919.	Sections three, twenty, twenty-one, twenty-three, twenty-seven; and the First Schedule.

CHAPTER 19.

An Act to authorise an increase in the amount of certain payments by County Councils to the County Councils Association. [4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of annual subscriptions. 53 & 54 Vict. c. 3.

1. Section one of the County Councils Association Expenses Act, 1890 (hereinafter referred to as "the principal Act"), which empowers the councils of the administrative counties of England and Wales to pay annual subscriptions to the County Councils Association, shall have effect as if the sum of forty-two pounds was therein substituted for the sum of thirty-one pounds and ten shillings.

Short title.

2. This Act may be cited as the County Councils Association Expenses (Amendment) Act, 1920, and the principal Act and this Act may be cited together as the County Councils Association Expenses Acts, 1890 to 1920.

Application.

3. This Act does not extend to Scotland or Ireland.

CHAPTER 20.

An Act to amend the Acts relating to the Practice of Veterinary Surgery and Medicine. [4th August 1920.]

WHEREAS it is desirable to provide further funds for the Royal College of Veterinary Surgeons to enable it to conduct examinations, prosecutions, and inquiries, authorised by statute, and generally to carry out such other objects or duties as may be considered beneficial to the veterinary profession and necessary for the promotion of the art and science of veterinary medicine and surgery:

And whereas doubts have arisen whether persons registered as existing practitioners under section fifteen of the Veterinary Surgeons Act, 1881, are subject to the jurisdiction of the Royal College of Veterinary Surgeons as conferred on them by that Act in respect of persons on the Register of Veterinary Surgeons: 44 & 45 Vict. c. 62.

And whereas it is desirable that persons registered as existing practitioners shall be entitled to style themselves veterinary surgeons:

And whereas the profession of veterinary surgeons is not protected from unqualified persons practising as such under the cover of registration under the Joint Stock Companies Acts:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title and construction. 63 & 64 Vict. c. 24.

1. This Act shall be supplemental to and read with the Veterinary Surgeons Act, 1881 (herein-after called the principal Act), and the Veterinary Surgeons Amendment Act, 1900, and may be cited as the Veterinary Surgeons Act (1881) Amendment Act, 1920, and shall come into operation on the first day of October one thousand nine hundred and twenty.

Fees and exemptions, with regulations relating thereto.

2.—(1) An annual fee of one guinea shall be payable on the first day of April in each year, or on such other date as the council of the Royal College of Veterinary Surgeons may from time to time determine, by every member of the Royal College of Veterinary Surgeons, save as excepted in subsection (4) hereof, such fee to be paid to the registrar of the Royal College of Veterinary Surgeons on or before the thirtieth day of April, or such other day as the said council may from time to time determine, in each year. On receipt of such fee the registrar shall cause to be posted to the member paying the same a copy of the Register of Veterinary Surgeons free of all cost.

(2) If the annual fee of any member shall not have been paid on or before the thirtieth day of April (or such other day as the said council may from time to time determine) in any year, the registrar shall send to such member by registered post at the address given in the Register of Veterinary Surgeons for the time being, or to any other address of which written notice shall have been given by such member to the registrar, a notice requiring payment, and, if such payment shall not be made within one month from posting such notice, a final notice shall be sent to such member by registered post.

(3) If any member of the Royal College of Veterinary Surgeons shall not have paid such annual fee for the time being within one month from the posting of the final notice mentioned in the last preceding subsection, thereupon such unpaid fee shall become and be a debt due and payable to the Royal College of Veterinary Surgeons at the then existing head office of the college, and, if the member so making default be ordinarily resident in England or Wales, may be sued for and recovered in the county court having jurisdiction over the district in which the said member may be ordinarily resident, and, if the member so making default be ordinarily resident in Scotland, such debt may be sued for and recovered in the sheriff court, and, if the member so making default be ordinarily resident in Ireland, such debt may be sued for and recovered in the county court of the district in which the said member is ordinarily resident : Provided always that the council shall have power to withhold

such proceedings for the recovery of the said fee in cases in which, in the opinion of the council, the member is unable to pay. In any such proceedings a certificate purporting to be under the hand of the secretary of the college, setting forth that a member's subscription is due and unpaid, shall be primâ facie evidence thereof and of a member's default in payment.

(4) This section shall not apply to members of the Royal College of Veterinary Surgeons who do not practise in the United Kingdom, or to holders of the veterinary certificate of the Highland and Agricultural Society who have been or may hereafter be admitted as members of the Royal College of Veterinary Surgeons in conformity with clauses one and two of the supplemental charter of 1879 granted to the Royal College of Veterinary Surgeons, or to existing practitioners as defined in section fifteen of the principal Act.

(5) The council of the Royal College of Veterinary Surgeons shall forthwith prepare and pass byelaws for the disposition of the money from time to time received in respect of the annual fee, and shall have power from time to time to add to, vary, and alter the same (such byelaws, additions, variations, and alterations to be made and carried out subject to the conditions prescribed in the charter of the college dated eighth March eighteen hundred and forty-four): Provided always that such byelaws and any alterations thereto shall have no force or validity until the same shall have been submitted to, and approved by, the Privy Council.

Existing practitioners to be entitled to style themselves veterinary surgeons and to be subject to discipline of Royal College of Veterinary Surgeons.

3. From and after the commencement of this Act, all persons duly registered as existing practitioners, in accordance with section fifteen of the principal Act, and whose names are on the register kept for that purpose, shall be entitled to style themselves veterinary surgeons, and shall be subject to the jurisdiction of the Royal College of Veterinary Surgeons in all respects and in like manner as if they were members of the Royal College of Veterinary Surgeons, and shall be liable in like manner to have their names removed from the register of existing practitioners by the council of the said college, and shall in like manner be bound by any byelaws already made, and which may hereafter be duly made, defining what amounts to conduct disgraceful in a professional respect within the meaning of section six of the principal Act.

Companies to be liable for offences the same as individuals.

4. Anything which would be an offence under the principal Act if committed by an individual shall be an offence if committed by a company registered under the Companies Acts, 1908 to 1917, or a society registered under the Industrial and Provident Societies Acts, 1893 to 1913.

CHAPTER 21.

An Act to make provision for the temporary modification of the charges which may be made in respect of Ports, Harbour, Dock, and Pier Undertakings.

[4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Modifications of statutory provisions affecting charges.

1.—(1) Where it appears to the Minister of Transport to be expedient, having regard to the cost of labour and materials, or any other circumstances, that an order under this section should be made with regard to any port, harbour, dock, or pier undertaking, the Minister may, if he thinks fit, by order provide for the modification of any statutory provisions regulating the charges to be made in respect of any such undertaking, and of any statutory provisions consequential on or supplemental to any such provisions as aforesaid, for such period during the continuance of this Act, in such manner, and subject to such conditions, as appear to the Minister to be just and reasonable :

Provided that—

(*a*) Where the undertakers are commissioners or any other authority or public body of persons carrying on otherwise than for purposes of private profit any such undertaking, no modification in the statutory provisions regulating the charges to be made by the undertakers shall be authorised which is more than sufficient, so far as can be estimated, to enable the undertaking to be carried on without loss; and

(*b*) In any other case, no such modification shall be authorised which is more than sufficient to provide, with due care and management, for interest on loan capital and for a reasonable return on share capital, regard being had to the pre-war financial condition of the undertaking and its prospective development.

(2) Before making an order in pursuance of the powers conferred by this Act, the Minister shall refer the matter to the rates advisory committee constituted under section twenty-one of the Ministry of Transport Act, 1919, for their consideration and report : Provided that, if it appears to the Minister that there is ground for making an order, and that the case is one of urgency, he may, without any such reference and without any such notices as are hereinafter required, make an interim order increasing the statutory maximum charges by such amount and subject to such conditions as he thinks proper; but an interim

9 & 10 Geo. 5. c. 50.

order shall not remain in force for more than six months, and where any interim order is made the Minister shall forthwith refer the matter to the rates advisory committee.

(3) The power of making orders under this section shall include a power of making orders, with a view to discouraging avoidable delay on the part of persons using accommodation and facilities provided by an undertaking, authorising the imposition of charges for the user of such accommodation and facilities beyond such time as may be specified in the order, and in the case of such an order no such reference as aforesaid and no such notices as are hereinafter mentioned shall be required.

(4) The charges authorised by any order made under this Act may be charged notwithstanding any statutory provisions or any agreement whether or not confirmed by an Act or order having the force of an Act, and such charges may be made operative from such date as may be fixed by the order, but not earlier than the tenth day of May nineteen hundred and twenty.

(5) If at any time it appears to the Minister of Transport that, owing to changes in the cost of labour or materials or other circumstances affecting an undertaking with respect to which an order has been made, the powers of charging effected by the order are insufficient or excessive for the purposes aforesaid, the Minister may, and, if representations are made to him by the undertakers or by a chamber of commerce or shipping or by any other representative body of traders or shipowners concerned or by a local authority, he shall refer the matter to the rates advisory committee, and may, after considering any report of the Committee, make an order revising the powers of charging so authorised as aforesaid; so, however, that the revised maximum charges shall not in any case be less than the statutory maximum charges applicable to the undertaking.

Proceedings of rates advisory committee.

2.—(1) The rates advisory committee shall consider any matter referred to them under this Act with a view to giving advice and assistance to the Minister with respect to the making of any order in relation to an undertaking and may, if so authorised by the Minister of Transport, delegate any of their powers and duties under this Act to sub-committees consisting of such members of the Committee as the Committee with the approval of the Minister may appoint, together with such additional persons being members of the panel set up under section twenty-three of the Ministry of Transport Act, 1919, as the Minister may appoint, and references in this Act to the Committee shall, as respects any powers or duties so delegated, be construed as including references to such sub-committee.

The Chairman of any such sub-committee shall be such member thereof as the rates advisory committee with the approval of the Minister may appoint.

(2) The Committee before reporting or advising on any matters referred to them under this Act shall, unless in their discretion they consider it unnecessary or undesirable to do so, give such public notice as they think best adapted for informing persons affected of the date when and the place where they will inquire into the matter and any person affected may make representations to the Committee, and, unless in their discretion the Committee consider it unnecessary, shall be heard at such inquiry, and, if the Committee in their discretion think fit, the whole or any part of the proceedings at such inquiry may be open to the public.

(3) The Committee shall hear such witnesses and call for such documents and accounts as they think fit and shall have power to take evidence on oath, and for that purpose any member of the Committee may administer oaths.

Provisions as to employment of accountants and other persons and as to costs, &c.

3.—(1) The Minister of Transport may, for the purposes of this Act, employ such accountants and other persons as he may think fit, and it shall be the duty of the undertakers concerned to furnish to any such accountant or other person such information and to produce to him such accounts and books as he may require for the purpose of reporting to the Minister or to the rates advisory committee as to the financial position of the undertaking.

(2) The costs incurred by the Minister of Transport or by the Committee in connection with an application for an order under this Act, including the remuneration of any such accountant or other person, shall be paid by the applicants for the order, and the Minister may certify the amount of the costs incurred, and any sum so certified and directed by the Minister to be paid by the applicants shall be a debt to the Crown from those applicants.

(3) For determining the cost of labour for the purposes of this Act, the Minister of Labour shall, at the request of the Minister of Transport, certify what are the rates of wages which have been fixed either by any body generally representative of employers and employed in or about ports, docks, harbours, and piers for the time being constituted, or when formed by the National Joint Industrial Council for workers in or about ports, docks, harbours, and piers, or by an award under the Industrial Courts Act, 1919.

9 & 10 Geo. 5. c. 69.

As to applications for an order.

4. An application by the undertakers to the Minister of Transport for the purposes of this Act shall be accompanied by such information, certified in such manner as the Minister may require, with respect to the financial position of the undertaking in question; and before making an order the Minister shall require the undertakers to give public notice of the application for an order under this Act, and as to the manner in which, and the time within which, representations to the

Minister may be made; and the Minister shall consider any representations which may be duly made.

Definitions and saving.

5. For the purposes of this Act the expression "statutory provisions" includes the provisions of an order having the force of an Act:

The expression "undertakers" includes the owners or other persons for the time being entitled to levy tolls, rates, dues, and charges in respect of any port, harbour, dock, or pier, and in relation to any port, harbour, dock, or pier where such person is the Minister of Transport, includes the Minister.

Short title and duration.

6.—(1) This Act may be cited as the Harbours, Docks, and Piers (Temporary Increase of Charges) Act, 1920.

(2) This Act shall have effect until the fifteenth day of February nineteen hundred and twenty-three.

CHAPTER 22.

An Act to reduce temporarily the rates payable in respect of Ecclesiastical Tithe Rentcharge.

[4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Partial relief of ecclesiastical tithe rentcharge from rates.

1.—(1) The owner of tithe rentcharge attached to an ecclesiastical corporation or benefice shall not be liable to pay, in respect of any rate made on or after the first day of April nineteen hundred and twenty, and before the first day of January nineteen hundred and twenty-six, which is assessed on him as owner of that tithe rentcharge, an amount in excess of such an amount as would have been payable by him if the rate had been made at such amount in the pound as is equal to the amount in the pound (to be ascertained in accordance with the rules set out in the Schedule to this Act) at which the corresponding rate was made in the year nineteen hundred and eighteen, and the excess shall be deemed to be irrecoverable.

(2) Where the owner of tithe rentcharge attached to a benefice, before payment of the amount payable by him in respect of any such rate as aforesaid, produces to the collector of the rate a statutory declaration made by him in a form prescribed by the Minister of Health showing that the total income arising from the benefice for the year ending on the fifth day of April preceding the date at which the rate was made, estimated in accordance with the provisions of the Income Tax Acts, did not exceed three hundred pounds, or, if it exceeded that sum, did not exceed

five hundred pounds, the owner shall be entitled to such relief or abatement in respect of such rate as follows, that is to say, if the total income arising from the benefice did not exceed three hundred pounds the owner shall not be liable to any payment in respect of the rate, and if it exceeded that sum, but did not exceed five hundred pounds the owner shall be allowed an abatement of one-half of the amount which would otherwise be payable by him in respect of the rate having regard to the preceding provisions; and the amount of any relief or abatement in respect of a rate given by this section shall be deemed to be irrecoverable.

A statutory declaration made for the purpose of this section shall be exempt from stamp duty.

(3) Nothing in this Act shall affect the allowance to be made in respect of rates in the assessment of tithe rentcharge for any rate or tax.

(4) Any amount paid by the owner of tithe rentcharge in respect of any rate to which this Act applies in excess of the amount which he is by virtue of this Act liable to pay shall be recoverable on demand made within six months after the passing of this Act as a debt due to him by the collector of the rate, and such amount shall be so recoverable notwithstanding that the statutory declaration required by this Act to entitle the owner to exemption or relief was not produced to the collector of the rate before payment of the rate if such declaration is so produced on or before the demand for repayment.

(5) In this Act the expression "ecclesiastical corporation" has the same meaning as in the Episcopal and Capitular Estates Act, 1851; the expressions "benefice" and "owner of tithe rentcharge" and "tithe rentcharge" have the same meanings as in the Tithe Rentcharge (Rates) Act, 1899; and the expression "rate" means a rate the proceeds of which are applicable to public local purposes and which is leviable on the basis of an assessment in respect of the yearly value of property. 14 & 15 Vict. c. 104. 62 & 63 Vict. c. 17.

2. This Act may be cited as the Ecclesiastical Tithe Rentcharge (Rates) Act, 1920. Short title.

SCHEDULE.

RULES FOR DETERMINING AMOUNT IN THE POUND OF CORRESPONDING RATE. Section 1.

(1) Where a rate (hereinafter referred to as "a current rate") is made in respect of any yearly, half-yearly, or other period, and a corresponding rate in the year nineteen hundred and eighteen (hereinafter referred to as "the standard rate") was made in respect of the

like period, the amount in the pound of the standard rate shall, for the purposes of this Act, be treated as the amount in the pound at which the corresponding rate was made.

(2) Where a current rate is made in respect of any yearly, half-yearly, or other period, and the standard rate was made in respect of a shorter or longer period, then—

(*a*) in the former case, the aggregate of the amounts in the pound of the standard rates made in respect of the periods covered by the period in respect of which the current rate is made shall, for the purposes of this Act, be treated as the rate in the pound at which the corresponding rate was made;

(*b*) in the latter case, such part of the amount in the pound of the standard rate as bears to the whole of that amount the same proportion as the period in respect of which the current rate is made bears to the period in respect of which the standard rate was made shall, for the purposes of this Act, be treated as the rate in the pound at which the corresponding rate was made.

(3) If by reason of the constitution or extension of a borough or urban district, the consolidation of rates, or other change of circumstances any question arises as to the rate to which a current rate corresponds, the question shall be determined in accordance with any general or special regulations which the Minister of Health may make for the purpose; and such regulations may provide for the manner in which, in cases to which the regulations apply, the rate in the pound of the corresponding rate is to be calculated, and for a rate being treated as two or more rates according to the purposes for which it was levied, and for making adjustments when the proportion of the rateable value on which tithe rentcharge is assessed to a current rate differs from the proportion on which it was assessed to the standard rate, or when any other circumstances render such adjustment necessary.

(4) Where in the year nineteen hundred and eighteen no rate was made which corresponds to or under regulations made as aforesaid is deemed to correspond to a current rate, the amount in the pound at which the corresponding rate was made in that year shall, for the purposes of this Act, be treated as nil.

CHAPTER 23.

An Act to amend the War Pensions Acts, 1915 to 1919, and the Ministry of Pensions Act, 1916.

[4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 6 & 7 Geo. 5. c. 65.

1.—(1) The powers and duties transferred from the Admiralty, the Commissioners of the Royal Hospital for Soldiers at Chelsea, the Army Council, and the Secretary of State for War to the

Minister by the Ministry of Pensions Act, 1916, shall, except in so far as those powers and duties relate to pensions or grants to which the War Pensions Acts as amended by this Act apply, or to pensions or grants awarded in respect of wounds, disabilities, or other matters suffered, incurred, or happening in any war which occurred before the fourth day of August, nineteen hundred and fourteen, be re-transferred to the Admiralty, the Commissioners, the Army Council, and the Secretary of State respectively, and all powers and duties with respect to the administration of pensions vested in the Minister under subsection (3) of section two of the Air Force (Constitution) Act, 1917, other than powers with respect to pensions to which the War Pensions Acts as amended by this Act apply, shall be transforred to the Air Council, and the expressions "the present war," "the great war," or "the war" in any Warrants or Orders in Council relating to pensions, grants or allowances administered by the Minister shall have the same meaning as by virtue of this Act the expression "the present war" has in the War Pensions Acts, and all such Warrants and Orders in Council shall be construed and have effect accordingly. 7 & 8 Geo. 5. c. 51.

(2) The expression "pension" in the Ministry of Pensions Act, 1916, and in subsection (3) of section two of the Air Force (Constitution) Act, 1917, shall, in relation to officers, include a wounds pension awarded to an officer who is at any time after the date on which this subsection comes into operation in receipt of retired pay, or in the case of a naval warrant officer of a pension, granted under a Warrant or Order in Council administered by the Minister.

(3) If any question arises as to whether any pension, grant or allowance is a pension, grant, or allowance to which the War Pensions Acts as amended by this Act apply, that question shall be referred to the Minister, and the decision of the Minister thereon shall be conclusive.

(4) The provisions of subsection (2) of this section shall have effect as from the first day of August, nineteen hundred and twenty, and the other provisions of this section shall have effect as from the thirtieth day after the date fixed under the Termination of the Present War (Definition) Act, 1918, as the date of the termination of the present war. 8 & 9 Geo. 5. c 59.

Application of War Pensions Acts.

2. The expression "the present war" in the War Pensions Acts shall mean any war carried on by His Majesty at any time during the period from the fourth day of August, nineteen hundred and fourteen, to the thirtieth day after the date fixed under the Termination of the Present War (Definition) Act, 1918, as the date of the termination of the present war, both inclusive, and accordingly, unless the context otherwise requires, references in those Acts to pensions, grants, and allowances, and to deceased or disabled officers or men, shall respectively be construed as references to pensions, grants, and allowances, granted, made,

or awarded in respect of wounds, disablements or other matters suffered, incurred, or happening during the said period, whether the officers or men to or in respect of whom the pensions, grants, or allowances are granted, made or awarded, retired or are discharged from the service, or die before the expiration of the said period, or whether they so retire or are discharged or die after the expiration of the said period, and to officers and men who have died or been disabled through causes arising out of their service during that period, whether they retire or are discharged from the service or die before the expiration of the said period, or whether they so retire, or are discharged, or die after the expiration of the said period:

Provided that nothing in this section shall affect the operation of section three of the War Pensions (Administrative Provisions) Act, 1919.

9 & 10 Geo. 5. c. 53.

Power to divide county area into districts and to establish committees for districts.

3.—(1) Where it appears to the Minister that, with a view to the better administration of the War Pensions Acts in any county, it is expedient so to do, he may by order make a scheme for dividing the area of the county into such number of districts as he thinks proper, and for establishing for each of those districts a committee to act as a committee for the purposes of the War Pensions Acts in that district, or in the case of any such district for amalgamating the district with the area of an existing local committee: Provided that, where the Minister proposes to make a scheme under this section, he shall give notice of the proposed scheme to the committee of any county affected, and, if the committee within fourteen days after the receipt of the notice make to the Minister in writing any representations with respect to the proposed scheme, the Minister shall take those representations into consideration before making the scheme.

(2) Committees established by the Minister under this section shall be deemed to be local committees within the meaning of the War Pensions Acts, and the scheme establishing any such committee shall provide for the representation on and inclusion among the members of the committee of persons who are required to be represented on, or included among, the members of local committees constituted under the Act of 1915, and may also provide for the inclusion among the members of the committee of persons appointed by any local authorities whose area or any part of whose area is comprised in the district.

(3) Every order by which a scheme is made under this section shall provide for the dissolution of the local committee established for the county, and for the transfer to or distribution among the committees comprising the area of the dissolved committee of any business pending before and for securing so far as practicable that officers in the employment of the dissolved committee shall be transferred to the said committees and employed by those committees in posts suitable to their standing

and qualifications, and any such order may contain such other supplemental and consequential provisions as the Minister thinks necessary for the purpose of securing the due administration of the War Pensions Acts in that area.

(4) Where the local committee for a county is dissolved under this section, any local committee established for any borough or urban district in the county in pursuance of the provisions of section three of the Naval and Military War Pensions, &c. (Administrative Expenses) Act, 1917, shall exercise the functions of a local committee set forth in paragraph (*f*) of section four of the Act of 1915 without being so directed by the Minister in pursuance of section eleven of the Act of 1918. 7 & 8 Geo. 5. c. 14.

(5) If the local committee for the County of London is dissolved under this section, the provisions of section four of the Naval and Military War Pensions, &c. (Administrative Expenses) Act, 1917, shall, as from the date of the order, cease to have effect, and provision shall be made by the scheme under subsection (1) of this section for the establishment of a separate local committee for the City of London and for each metropolitan borough.

(6) Every order made under this section shall be laid before each House of Parliament as soon as may be after it is made, and, if an address is presented to His Majesty by either House within the next subsequent twenty-one days on which that House has sat next after the said order is laid before it praying that the order may be annulled, His Majesty in Council may annul the order, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(7) Any order made under this section may be varied or revoked by a subsequent order made in like manner and subject to the like conditions.

(8) In this section the expression "county" means the area of a local committee for a county.

4. Section two of the Act of 1918 shall have effect subject to the following amendments :— Amendment of s. 2 of 8 & 9 Geo. 5. c. 57.

(1) The powers of the Minister under subsection (1) of section two may be exercised not only for the purpose of securing the proper exercise and performance of the powers and duties of local committees, but also for the purpose of securing greater economy in the administration of the War Pensions Acts, if the Minister is satisfied that those powers can be so exercised without prejudice to the due execution of those Acts :

(2) Where any person has, by reason of a declaration made by the Minister under paragraph (*g*) of subsection (1) of section two, vacated his office as a member of a committee, that person shall not be re-appointed a

member of the committee except with the consent of the Minister:

(3) The Minister may by order under section two at any time, and in the case of an order made under paragraph (*f*) of subsection (1) of the said section without any further public local enquiry, revoke, vary or amend an order made under the said section.

Appointment of person to act as finance officer to local committee.

5. If the Minister is satisfied that any committee has failed to keep proper and sufficient accounts or that any moneys provided by Parliament for the purpose of the payment of or otherwise in connection with any pensions, grants, or allowances to which the War Pensions Acts apply, have been irregularly or improperly applied, he may by order direct that the issue and payment of money by that committee shall be subject to the sole control of an officer of the Ministry of Pensions appointed for the purpose, and any such order may prescribe the functions to be exercised by the officer thereby appointed.

Power of officer holding local inquiry with respect to witnesses, &c.

10 & 11 Vict. c. 109.

6. The power to make regulations under paragraph (*c*) of subsection (1) of section five of the Act of 1918 shall include the power to make regulations applying, with or without modification, for the purposes of any local inquiry held under the War Pensions Acts, any of the provisions of section twenty-one or section twenty-six of the Poor Law Board Act, 1847 (which relate respectively to the power of inspectors to summon and examine witnesses and to penalties on persons refusing or neglecting to attend or give evidence), or any of the provisions of any corresponding enactments applying to Scotland or Ireland, and any regulations made under this section shall, (subject to any provision therein to the contrary), apply throughout the United Kingdom.

Restoration of forfeited pensions.

33 & 34 Vict. c. 23.

7.—(1) The Minister may, in his discretion and upon such terms as he thinks fit, restore, either in whole or in part, any pension which has been forfeited under the Forfeiture Act, 1870.

(2) During such time as any person whose pension has been forfeited, whether under the Forfeiture Act, 1870, or otherwise, is undergoing imprisonment, the Minister may in his discretion pay or apply any part of the pension which may be restored under the foregoing provision or otherwise, or any allowance payable to that person during the continuance of the pension, to, or for the benefit of, the wife, children, or other dependants of that person.

(3) In this section the expression "pension" means any pension awarded or administered by the Minister in pursuance of any Warrant or Order in Council.

Statutory right of widow and children to a pension.

8.—(1) The widow or dependant of a deceased officer or man shall be entitled to receive such pension, gratuity, or allowance as is awarded by the Minister under any Warrant or Order in Council for the time being in force in respect of that

officer or man, and for the payment whereof money has been provided by Parliament, but the award of any such pension, gratuity, or allowance shall be subject to the conditions contained in the Warrant or Order.

(2) Section eight of the War Pensions (Administrative Provisions) Act, 1919 (which provides for appeals to pensions appeal tribunals), shall have effect as though the words " or parent or dependant " were inserted therein after the words " motherless child."

Amendment of s. 9 of 8 & 9 Geo. 5. c. 57.

9. The following subsection shall be substituted for subsection (4) of section nine of the Act of 1918 :—

" (4) Any child for the care of whom it is the duty of the Minister under this section to make provision may be committed to the care of the Minister or any person appointed by him for the purposes of this subsection by an order made under section twenty-one or subsection (7) of section fifty-eight of the Children Act, 1908, as if the Minister or the person so appointed were named in those sections as a person to whose care a child may be committed."

8 Edw. 7. c. 67.

Exemption from stamp duty.

10. Any order, receipt, or other document used in relation to the payment of any pension, grant, or allowance to which the War Pensions Acts apply shall, unless otherwise provided by the Warrant, or Order in Council, under which the pension, grant, or allowance is granted, made, or awarded, be exempt from stamp duty.

Interpretation.

11.—(1) Unless the context otherwise requires, the expression " Royal warrant " or " Warrant " in the War Pensions Acts shall include any order under the Air Force (Constitution) Act, 1917, relating to pensions the administration of which is vested in the Minister.

(2) In this Act, unless the context otherwise requires—

The expression " the Minister " means the Minister of Pensions :

The expression " the War Pensions Acts " means the War Pensions Acts, 1915 to 1919, and this Act :

5 & 6 Geo. 5. c. 83.

The expression " the Act of 1915 " means the Naval and Military War Pensions, &c. Act, 1915 :

8 & 9 Geo. 5. c. 57.

The expression " the Act of 1918 " means the War Pensions (Administrative Provisions) Act, 1918.

(3) This Act shall be construed as one with the War Pensions Acts, 1915 to 1919.

Short title and repeal.

12.—(1) This Act may be cited as the War Pensions Act, 1920, and the War Pensions Acts, 1915 to 1919, and this Act may be cited together as the War Pensions Acts, 1915 to 1920.

(2) The words in section nine of the War Pensions (Administrative Provisions) Act, 1919, from " the expression " to " 1918 and " are hereby repealed.

9 & 10 Geo. 5. c. 53.

CHAPTER 24.

An Act to amend the Law with respect to the Place of Payment of Notes issued by Banks of Issue in Ireland. [4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Place of payment of bank notes.

1.—(1) A bank of issue in Ireland shall not be under any obligation to pay on demand any of its notes bearing date before the commencement of this Act except at the head office in Ireland of the Bank, notwithstanding that the notes were issued and are expressed to be payable at some other place, or to pay on demand any of its notes bearing date after the commencement of this Act, wherever issued, except at the place at which those notes are expressed to be payable.

9 Geo. 4. c. 81.
11 Geo. 4. and 1 Will. 4. c. 32.

(2) The Bank Notes (Ireland) Act, 1828 (which makes bank notes issued by banks of issue in Ireland payable at the place where they are issued), and section one of the Bank Notes (Ireland) Act, 1830 (which authorises banks of issue in Ireland to pay their notes in Dublin), are hereby repealed.

(3) In this Act the expression "banks of issue" means any bank having power for the time being to issue bank notes.

Short title.

2. This Act may be cited as the Bank Notes (Ireland) Act, 1920, and the Bank Notes (Ireland) Acts, 1828 to 1864, and this Act may be cited together as the Bank Notes (Ireland) Acts, 1828 to 1920.

CHAPTER 25.

An Act to amend section eight of the Public Libraries (Ireland) Act, 1855, and for other purposes incidental thereto. [4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of limit on rate for purposes of Public Libraries (Ireland) Acts.
18 & 19 Vict. c. 40.

1.—(1) In section eight of the Public Libraries (Ireland) Act, 1855, "threepence in the pound" shall be substituted for "one penny in the pound" as the limit on the rate which may be levied in any borough or other urban district or town for the purposes of the Public Libraries (Ireland) Acts, 1855 to 1911:

Provided that in any county borough the said limit of threepence in the pound may, with the consent of the Local Government Board, be exceeded to an extent not exceeding threepence in the pound.

(2) If any expenses are incurred for the purposes aforesaid during the local financial year ending on the thirty-first day of March, nineteen hundred and twenty-one (whether before or after the passing of this Act), in excess of the amount that might be raised by a rate within the limit in force before the passing of this Act, the excess may, with the consent of the Local Government Board, be defrayed out of any rate or fund approved by the Board to an extent not exceeding the amount which might have been raised for the purposes aforesaid by a rate within the limit authorised by this Act.

(3) Section one of the Public Libraries (Art Galleries in County Boroughs) (Ireland) Act, 1911, is hereby repealed. 1 & 2 Geo. 5. c. 9.

2. This Act may be cited as the Public Libraries (Ireland) Act, 1920, and shall be construed as one with the Public Libraries (Ireland) Acts, 1855 to 1911, and those Acts and this Act may be cited collectively as the Public Libraries (Ireland) Acts, 1855 to 1920. Short title, construction, and citation.

CHAPTER 26.

An Act to amend the Law relating to the offices of Sheriff and Under-Sheriff in Ireland; and for other purposes incidental thereto. [4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) From and after the appointed day appointments to the office of under-sheriff shall be made by the Lord Lieutenant instead of by the sheriff, and an under-sheriff shall be appointed by the Lord Lieutenant for each county and county borough. Appointment and tenure of under-sheriffs.

(2) Every under-sheriff appointed under this Act shall hold office during the Lord Lieutenant's pleasure, and his tenure of office shall not be affected by the appointment of a new sheriff.

(3) A person shall not be appointed to the office of under-sheriff under this Act unless he is an existing under-sheriff, or a practising barrister of not less than five years' standing, or a practising solicitor of not less than five years' standing, or a person who, for not less than five years, has acted as manager, chief clerk, or assistant of an under-sheriff.

Powers and duties of under-sheriffs.

2.—(1) Subject to the provisions of this section, all the powers and duties of the sheriff of a county or county borough (including his powers and duties as returning officer) shall be transferred to and be exercised and performed by the under-sheriff appointed for the county or county borough under this Act, and the sheriff shall not be liable for, or in respect of, any act or default of the under-sheriff so appointed.

(2) Notwithstanding the appointment of an under-sheriff under this Act, the sheriff shall continue to discharge the duties of a sheriff in connection with the reception of and attendance upon judges or commissioners at assizes (including winter assizes) and commissions of oyer and terminer, and in connection with the selection of persons to serve as grand jurors at such assizes or commissions, and shall be assisted by the under-sheriff in the performance of those duties.

Disqualifications.

3. An under-sheriff appointed under this Act shall (in addition to any other disqualifications) be disqualified for being elected, chosen, or being, a member of any county borough council, county council, or district council, or a town commissioner or poor law guardian.

Oath and security.

4. Every under-sheriff appointed under this Act shall, before entering into the execution of his office, take the oath by law required to be taken by under-sheriffs and give security for the due performance of the duties of his office to such amount and in such manner as may be prescribed by the Lord Chancellor.

Remuneration of under-sheriffs. 6 & 7 Will. 4. c. 116.

5.—(1) The salaries payable to sheriffs by county borough councils and county councils under section one hundred and ten of the Grand Jury (Ireland) Act, 1836, shall, in the case of under-sheriffs appointed under this Act, be annual salaries of the respective amounts specified in this section, which shall be deemed to include allowances for clerical assistance, and be payable to the said under-sheriffs as follows, namely :—

(*a*) to the under-sheriff of the county borough of Dublin, three hundred and fifty pounds;

(*b*) to the under-sheriff of every other county borough, two hundred and fifty pounds; and

(*c*) to the under-sheriff of every county, two hundred pounds;

and for the purposes of this provision the said section, as so amended, shall apply to the county borough of Dublin as well as to every other county borough.

(2) The following sums shall be paid annually out of moneys provided by Parliament to the under-sheriffs appointed under this Act :—

(*a*) to the under-sheriff of the county borough of Dublin, the sum of two hundred and fifty pounds;

(*b*) to the under-sheriff of every other county borough, the sum of one hundred and fifty pounds; and

(*c*) to the under-sheriff of every county, the sum of two hundred pounds.

(3) Where one person is appointed under this Act to be under-sheriff for two or more counties, the amount of the annual salary payable to him by the council of each of those counties shall be one hundred and fifty pounds, and the amount of the annual sum payable to him out of moneys provided by Parliament in respect of each county shall be one hundred and fifty pounds instead of the respective amounts specified in the foregoing provisions of this section.

Fees in civil bill proceedings. 27 & 28 Vict. c. 99.

6.—(1) In all actions and proceedings by civil bill under the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, as amended by any subsequent enactment, the fees specified in the Schedule to this Act shall be payable to under-sheriffs appointed under this Act in addition to the fees specified in Part II. of Schedule (B) to the said Act.

40 & 41 Vict. c. 56.

(2) The power of making rules and orders under section seventy-nine of the County Officers and Courts (Ireland) Act, 1877, shall be extended so as to include power to make rules and orders for prescribing the fees to be payable to, or receivable by, under-sheriffs for the discharge of any duties under any enactment relative to civil bill courts, and for altering or varying the rates of fees payable or receivable by them under any such enactment or under this section.

Civil bill court interpleader.

7.—(1) Where a claim to or in respect of any goods or chattels taken in execution under the process of a civil bill court is made by any person other than a person against whom the process is issued, the under-sheriff may, subject to rules of court, cause a civil bill (in this section referred to as an interpleader civil bill) to be served upon the claimant and the execution creditor (in this section referred to as the parties) calling upon them to appear at the civil bill court and to maintain or relinquish their respective claims.

(2) An interpleader civil bill shall be returnable to the civil bill court having jurisdiction in the place where the seizure was made, and may be served upon the claimant and execution creditor in any part of Ireland, and may be served on an execution creditor not in Ireland by serving the solicitor on record for him.

(3) The county court judge shall have power on an interpleader civil bill:—

(*a*) to adjudicate upon the claim and to make such order in respect thereof between the parties as he thinks fit;

(*b*) in the event of the claim of any party being withdrawn or in the event of any party failing to appear, to make such order as between the parties and as between

the parties or any of them and the under-sheriff, as he thinks just;

(*c*) to adjudicate upon any claim of the parties or either of them against the under-sheriff arising or capable of arising out of the execution of the process, and to make such order in respect thereof as he thinks fit;

(*d*) to order the sale of all or any of the goods and chattels, and to direct the application of the proceeds in such manner and upon such conditions as he thinks proper;

(*e*) to give directions as to the disposal of any money deposited with the under-sheriff or the realisation of any security given to him;

(*f*) to hear and determine any claim of the under-sheriff for fees and expenses and order the same or such part thereof as he thinks just to be paid by the claimant or by the execution creditor; and

(*g*) to make such provision as he thinks proper for the payment of the costs of the proceedings and for any other matters arising in connection therewith, whether as between the parties or any of them or as between the under-sheriff and the parties or any of them.

(4) Upon the service of an interpleader civil bill, any action brought in any court in respect of the claim or of any damage arising out of the execution of the process shall be stayed.

(5) If the claimant deposits with the under-sheriff the amount for which the process was issued or, in the event of the value of the goods and chattels as determined by the under-sheriff or by an appraiser appointed by the under-sheriff being less than that amount, a sum equal to the value as so determined, the under-sheriff shall withdraw from the possession of the goods and chattels and the sum deposited shall be disposed of in the manner directed by the county court judge.

If the claimant does not make such deposit as aforesaid, it shall be lawful for the clerk of the crown and peace or the county court judge, at any time after the service of an interpleader civil bill, upon application made by the execution creditor on notice to the claimant and the under-sheriff or by the under-sheriff on notice to the parties, to make an order for the sale of all or any of the goods and chattels by the under-sheriff, subject to such conditions as respects the giving of security by the execution creditor or otherwise as the clerk of the crown and peace or judge thinks proper.

(6) An order made by a county court judge on an interpleader civil bill (other than an order for the sale of goods and chattels) shall be subject to the like appeal as an order made on an ordinary civil bill, and the enactments relative to such appeals shall apply accordingly, and subject thereto the order shall be final and conclusive as between the parties and as between them or either of them and the under-sheriff.

(7) At any time after the service of an interpleader civil bill the clerk of the crown and peace may, on consent of the parties and under-sheriff, exercise any power or jurisdiction which, under this section, would be exerciseable by the county court judge on the return of the civil bill.

(8) In the cities of Dublin, Belfast, and Cork the registrar of the civil bill court may, in the absence of the clerk of the crown and peace, exercise any power or jurisdiction of the clerk of the crown and peace under this section.

(9) Rules of court may regulate the practice and procedure under this section including costs and expenses.

(10) Section one hundred and fifty of the Civil Bill Courts (Ireland) Act, 1851, is hereby repealed.

Power of county court judges to enforce performance of duties of under-sheriffs. 14 & 15 Vict. c. 57.

8.—(1) The power of a county court judge under section one hundred and fifty-one of the Civil Bill Courts (Ireland) Act, 1851, to fine an under-sheriff who is guilty of any breach of duty in the execution of that Act shall be extended so as to include a power to fine an under-sheriff who is guilty of any breach of duty in the execution of section sixteen, section nineteen, or section twenty of the Civil Bill Courts Procedure Amendment Act (Ireland), 1864.

(2) Subject to rules of court, a county court judge may make an order requiring an under-sheriff to return within the period specified in the order any process of a civil bill court which has been delivered to him for execution, with the appropriate statement as to the execution or non-execution thereof endorsed thereon, and, for that purpose and for the purpose of punishing any disobedience of such order, the county court judge shall have and may exercise all such powers as may be exercised by the King's Bench Division of the High Court in relation to writs of execution of that court.

Salaries of process servers. 14 & 15 Vict. c. 57.

9. The salary payable to a process server under section seventeen of the Civil Bill Courts (Ireland) Act, 1851, shall, in the case of a process server who is also a bailiff, be at the rate of forty pounds a year so long as he holds both offices.

Adaptation of enactments.

10.—(1) The Lord Lieutenant may by Order in Council make such adaptations of any enactments relative to sheriffs or under-sheriffs as appear to him to be necessary or proper for carrying this Act into effect.

(2) The second proviso to section five of the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, is hereby repealed.

Interpretation.

11. In this Act, unless the context otherwise requires :—

References to county court judges include references to recorders;

The expression "process of a civil bill court" means any decree, dismiss, or other order made by a civil bill court or on an appeal from such court;

The expression "powers" includes rights, jurisdiction, capacities, privileges, and immunities;

The expression "duties" includes responsibilities, obligations, and liabilities;

The expression "existing" means holding office on the passing of this Act.

Short title, extent, and commencement.

12.—(1) This Act may be cited as the Sheriffs (Ireland) Act, 1920, and shall apply to Ireland only.

(2) This Act shall come into operation on the appointed day, and the appointed day shall be such day as the Lord Lieutenant may by Order in Council appoint, and different days may be appointed for different purposes and for different areas.

Section 6.

SCHEDULE.

	£	s.	d.	
On every decree, dismiss, renewal, or order (save those in ejectment cases or orders or writs of restitution as to lands):—				Such fees to be paid to the clerk of the crown and peace for the account of the undersheriff by the person in whose favour the decree is pronounced before he shall be entitled to receive the same, and to be taxed at foot of the decree as portion of the costs payable by the party against whom such decree shall be pronounced.
For any sum not exceeding 20*s.*	0	1	2	
Exceeding 20*s.*	0	2	0	
On every decree, dismiss, and renewal in ejectment cases, and on every order or writ of restitution as to lands.	0	2	6	

CHAPTER 27.

An Act to confirm an Agreement made between His Majesty's Government in London, His Majesty's Government of the Commonwealth of Australia, and His Majesty's Government of the Dominion of New Zealand, in relation to the Island of Nauru.

[4th August 1920.]

WHEREAS an agreement was made on the second day of July nineteen hundred and nineteen between the Governments of the United Kingdom, the Commonwealth of Australia, and the Dominion of New Zealand, with respect to the administration of the Island of Nauru and the mining of the phosphate deposits on the said island, and a copy of the said agreement (in this Act referred to as "the agreement") is set out in the Schedule to this Act:

And whereas the agreement requires confirmation by Parliament:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of agreement.

1.—(1) The agreement is hereby confirmed subject to the provisions of Article twenty-two of the Covenant of the League of Nations.

(2) Any sums payable under or by virtue of the agreement by the Government of the United Kingdom shall be paid out of moneys provided by Parliament.

Short title.

2. This Act may be cited as the Nauru Island Agreement Act, 1920.

SCHEDULE.

AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT IN LONDON, HIS MAJESTY'S GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA, AND HIS MAJESTY'S GOVERNMENT OF THE DOMINION OF NEW ZEALAND.

Whereas a Mandate for the administration of the Island of Nauru has been conferred by the Allied and Associated Powers upon the British Empire, and such Mandate will come into operation on the coming into force of the Treaty of Peace with Germany:

And whereas it is necessary to make provision for the exercise of the said Mandate and for the mining of the phosphate deposits on the said Island:

Now, therefore, His Majesty's Government in London, His Majesty's Government of the Commonwealth of Australia, and His Majesty's Government of the Dominion of New Zealand do hereby agree as follows:—

ARTICLE 1.

The administration of the Island shall be vested in an Administrator.

The first Administrator shall be appointed for a term of five years by the Australian Government, and thereafter the Administrator shall be appointed in such manner as the three Governments decide.

The Administrator shall have power to make Ordinances for the peace, order, and good government of the Island, subject to the terms of this Agreement, and particularly (but so as not to limit the generality of the foregoing provisions of this Article) to provide for the education of children on the Island, to establish and maintain the necessary police force, and to establish and appoint courts and magistrates with civil and criminal jurisdiction.

ARTICLE 2.

All the expenses of the administration (including the remuneration of the Administrator and of the Commissioners), so far as they are not met by other revenue, shall be defrayed out of the proceeds of the sales of the phosphates.

ARTICLE 3.

There shall be a Board of Commissioners comprising three members, one to be appointed by each of the Governments who are parties to this Agreement.

ARTICLE 4.

Each of the Commissioners shall hold office during the pleasure of the Government by which he is appointed.

ARTICLE 5.

The three Governments, or, if they are unable to agree, a majority of them, shall fix the remuneration of the Commissioners.

ARTICLE 6.

The title to the phosphate deposits on the Island of Nauru and to all land, buildings, plant and equipment on the Island used in connexion with the working of the deposits shall be vested in the Commissioners.

ARTICLE 7.

Any right, title or interest which the Pacific Phosphate Company or any person may have in the said deposits, land, buildings, plant and equipment (so far as such right, title and interest is not dealt with by the Treaty of Peace) shall be converted into a claim for compensation at a fair valuation.

ARTICLE 8.

The amount of the said compensation shall be contributed by the Governments of the United Kingdom, the Commonwealth of Australia, and the Dominion of New Zealand in proportions to be mutually agreed upon, or in the event of their failing to agree within three months of this Agreement coming into force, then in the same proportions as the first allotment of phosphates under Article 14 of this Agreement. Any other capital necessary for working expenses shall be contributed by the three Governments in the same proportions.

ARTICLE 9.

The deposits shall be worked and sold under the direction, management and control of the Commissioners, subject to the terms of this Agreement.

It shall be the duty of the Commissioners to dispose of the phosphates for the purpose of the agricultural requirements of the United Kingdom, Australia and New Zealand, so far as those requirements extend.

ARTICLE 10.

The Commissioners shall not, except with the unanimous consent of the three Commissioners, sell or supply any phosphates to, or for shipment to, any country or place other than the United Kingdom, Australia or New Zealand.

ARTICLE 11.

Phosphates shall be supplied to the United Kingdom, Australia and New Zealand at the same f.o.b. price, to be fixed by the Commissioners on a basis which will cover working expenses, cost of management, contribution to administrative expenses, interest on capital, a sinking fund for the redemption of capital, and for other purposes unanimously agreed on by the Commissioners and other charges.

Any phosphates not required by the three Governments may be sold by the Commissioners at the best price obtainable.

ARTICLE 12.

All expenses, costs and charges shall be debited against receipts; and if by reason of sales to countries other than the United Kingdom, Australia, or New Zealand, or by other means or circumstances, any surplus funds are accumulated, they shall be credited by the Commissioners to the three Governments in the proportion in which the three Governments have contributed under Article 8 of this Agreement and held by the Commissioners in trust for the three Governments to such uses as those Governments may direct, or, if so directed by the Government for which they are held, shall be paid over to that Government.

ARTICLE 13.

There shall be no interference by any of the three Governments with the direction, management, or control of the business of working, shipping, or selling the phosphates, and each of the three Governments binds itself not to do or to permit any act or thing contrary to or inconsistent with the terms and purposes of this Agreement.

ARTICLE 14.

Until the readjustment hereinafter mentioned, each of the three Governments shall be entitled to an allotment of the following proportions of the phosphates produced or estimated to be produced in each year, namely:—

United Kingdom - - - - - -	42 per cent.
Australia - - - - - - -	42 per cent.
New Zealand - - - - - - -	16 per cent.

Provided that such allotment shall be for home consumption for agricultural purposes in the country of allotment, and not for export.

At the expiration of the period of five years from the coming into force of this Agreement, and every five years thereafter, the basis of allotment shall be readjusted in accordance with the actual requirements of each country.

If in any year any of the three Governments does not require any portion of its allotment, the other Governments shall be entitled

so far as their requirements for home consumption extend, to have that portion allotted among themselves in the proportions of the percentages to which they are entitled as above.

Where any proportion of the allotment of one of the Governments is not taken up by that Government, that Government shall, when the phosphates are sold, be credited with the amount of the cost price as fixed by the Commissioners under the first paragraph of Article 11; but if such phosphates are sold to a purchaser other than one of the Governments, any profit above the said cost price shall be carried to the surplus fund mentioned in Article 12.

ARTICLE 15.

The Agreement shall come into force on its ratification by the Parliaments of the three countries.

Dated this second day of July in the year of Our Lord one thousand nine hundred and nineteen.

Signed by the Right Honourable David Lloyd George for and on behalf of His Majesty's Government in London, in the presence of— ERNEST EVANS.	(Signed)	D. LLOYD GEORGE.
Signed by the Right Honourable William Morris Hughes for and on behalf of the Government of the Commonwealth of Australia in the presence of— R. R. GARRAN.	(Signed)	W. M. HUGHES.
Signed by the Right Honourable William Ferguson Massey for and on behalf of the Government of the Dominion of New Zealand in the presence of— R. R. GARRAN.	(Signed)	W. F. MASSEY.

CHAPTER 28.

An Act to amend the Law with respect to the supply of Gas. [4th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Price and Quality of Gas.

Power to substitute new basis of charges.

1.—(1) The Board of Trade may, on the application of any gas undertakers, by order, provide for the repeal of any enactments or other provisions requiring the undertakers to supply gas of any particular illuminating or calorific value, and for

substituting power to charge for thermal units supplied in the form of gas.

(2) An order under this section may provide for modifying the statutory or other provisions affecting the charges which may be made by the undertakers, by substituting for the standard or maximum price authorised under those provisions a standard or maximum price for each hundred thousand British thermal units (in this Act referred to as "a therm").

(3) The standard or maximum price per therm fixed by the order shall be a price corresponding as nearly as may be to that fixed by those provisions for each thousand cubic feet, but with such addition as appears to the Board reasonably required in order to meet the increases (if any) due to circumstances beyond the control of, or which could not reasonably have been avoided by, the undertakers, which have occurred since the thirtieth day of June nineteen hundred and fourteen in the costs and charges of and incidental to the production and supply of gas by the undertakers; and the order may make such modifications of any provisions whereby the rate of dividend payable by the undertakers or any other payment is dependent on the price of gas supplied as appear to the Board to be necessary:

Provided that, if at any time it is shown to the satisfaction of the Board of Trade that the costs and charges of and incidental to the production and supply of gas have substantially altered from circumstances beyond the control of, or which could not reasonably have been avoided by the undertakers, the Board may, if they think fit, on the application of the undertakers or of the local authority, or, where the local authority are the undertakers, of twenty consumers, make an amending order correspondingly revising the powers of charging authorised by the original order.

(4) An order under this section—

(*a*) shall prescribe the time when and the manner in which the undertakers are to give notice of the calorific value of the gas which they intend to supply (in this Act referred to as the declared calorific value), and shall require that such notice shall at the same time be published in the London, or Edinburgh, or Dublin Gazette; and

(*b*) shall require the undertakers, in the case of alteration in the declared calorific value, to take at their own expense such steps as may be necessary to alter, adjust, or replace the burners in consumers' appliances in such manner as to secure that the gas can be burned with safety and efficiency, except in the case of any consumer who objects to such alteration, adjustment, or replacement by the undertakers; and

(*c*) may prescribe, subject to such conditions as the Board may think necessary, the additional charge

per therm which the undertakers may make in respect of gas supplied by means of prepayment meters; and

(*d*) may make such supplemental and consequential provisions as appear necessary to give full effect to the order; and

(*e*) shall come into operation on such date as may be fixed by the order; and

(*f*) shall have effect as if enacted in this Act.

(5) If within two years after the passing of this Act any undertakers have not applied to the Board of Trade for an order under this section, the Board of Trade may, after giving not less than three months' notice to the undertakers, make an order applying to those undertakings, which shall have the same effect as an order made on the application of the undertakers.

(6) Before making any order under this section, the Board of Trade shall, where the order is made on the application of undertakers, require the undertakers to give, and in any other case shall themselves give public notice in the London or Edinburgh or Dublin Gazette as the case may be and in such other manner as the Board may consider best adapted for informing persons affected, of the application for or proposal to make an order, and of the maximum or standard price per therm proposed, and as to the manner in which and time within which objections may be made, and shall consider any objection which may be duly made, and shall, where they think it expedient to do so, cause an inquiry to be held. The notice to be given under this section shall include notice to the local authority.

(7) The calorific value of gas means, for the purposes of this Act, the number of British thermal units (gross) produced by the combustion of one cubic foot of the gas measured at sixty degrees Fahrenheit under a pressure of thirty inches of mercury and saturated with water vapour.

Composition and pressure of gas to be supplied.

2.—(1) Where an order under this Act has been made affecting any undertakers, the gas supplied by those undertakers, in addition to conforming to the conditions prescribed in the order, shall comply with the following conditions, that is to say :—

(i) it shall not contain any trace of sulphuretted hydrogen when tested in accordance with this Act;

(ii) it shall be supplied at not less than the minimum permissible pressure :

Provided that the foregoing requirements shall not apply as respects a separate supply of gas by any undertakers for industrial purposes only, but an order may impose such other conditions with regard to gas supplied by those undertakers for those purposes as appear necessary to the Board of Trade.

(2) The minimum permissible pressure shall be such pressure in any main, or in any pipe laid between the main and the meter having an internal diameter of two inches and upwards, as to

balance a column of water not less than two inches in height, except as may be otherwise provided by the order relating to any undertaking, and different minima may be specified for different parts of an undertaking, or for gas of different calorific values.

(3) Where any undertakers are, at the time when an order is made with respect to them under this Act, under a statutory obligation to comply with conditions in relation to pressure which are in excess of the provisions as to pressure contained in this section, the order shall make such provisions as appear necessary to the Board of Trade for preserving these conditions, and this Act shall, in its application to those undertakers, have effect as though such last-mentioned provisions were substituted for the provisions of this section as to pressure.

(4) The Board of Trade shall, as soon as may be after the passing of this Act, cause inquiries to be held into the question whether it is necessary or desirable to prescribe any limitations of the proportion of carbon monoxide which may be supplied in gas used for domestic purposes, and into the question whether it is necessary or desirable to prescribe any limitations of the proportion of incombustible constituents which may be supplied in gas and may, if on any such inquiry it appears desirable, make one or more special orders under this Act prescribing the permissible proportion in either case, and any such special order may have effect either generally or as regards particular classes of undertakings, and the provisions of the special order shall have effect as if they were enacted in this section.

Restriction on power to charge for thermal units.

3. It shall not be lawful for any person to charge for the supply of gas according to the number of British thermal units supplied unless authorised to do so under this Act or by special Act of Parliament.

Testing of Gas.

Appointment of gas referees and examiners.

4.—(1) The Board of Trade shall appoint three persons, at least one of whom shall be a person having practical knowledge and experience in the manufacture and supply of gas, to act as gas referees.

The Board of Trade shall also appoint a competent and impartial person to be chief gas examiner.

The gas referees and the chief gas examiner shall hold office for such time and on such conditions as the Board of Trade may direct, and may, with the consent of the Board of Trade, appoint such assistants as may be necessary for the proper discharge of their duties.

(2) Two of the gas referees shall be a quorum and at least two of the gas referees shall concur in every act or determination of the gas referees.

(3) The local authority may, unless they are themselves the undertakers, appoint a competent and impartial person to be a gas examiner, and subject to the prescription of the gas referees to test the gas and the pressure at which the gas is supplied:

Provided that—

(*a*) for the purposes of this section, a gas examiner may be appointed to act on behalf of any number of local authorities, and the local authorities may enter into such arrangements as they think fit in regard to the joint appointment and employment of such gas examiner; and

(*b*) any county council may, if they think fit, with the consent of any other local authority within the county, appoint a gas examiner, who shall have the same powers as if he were appointed by that local authority.

(4) Where no gas examiner is appointed by the local authority, or where the testing of gas is imperfectly attended to, quarter sessions, on the application of not less than five consumers, may appoint a competent and impartial person to act as gas examiner, who shall have the same powers and perform the same duties as if he were appointed by the local authority, and the remuneration and expenses of the gas examiner up to an amount approved by quarter sessions shall be paid by the local authority.

Power to prescribe tests.

5.—(1) The gas referees shall prescribe—

(*a*) the places and times at which and the apparatus and method by which tests, whether continuous or intermittent, shall be made to ascertain whether any undertakers with respect to whom an order has been made under this Act are supplying gas in accordance with their obligations; and

(*b*) the method by which any such apparatus shall be verified; and

(*c*) the time and form of the reports to be made by the gas examiner to the gas referees and the local authority or quarter sessions by whom he is appointed, and to the undertakers, and the means by which the results of the tests shall be made available to the public:

Provided that, unless otherwise agreed between the undertakers and the authority by whom the gas examiner is appointed, any testing place provided by the undertakers in pursuance of any special or other Act of Parliament relating to the undertaking shall be deemed to be a prescribed testing place under this section, but the gas referees may, if they think fit, prescribe any additional testing place in respect of that undertaking.

(2) The prescribed apparatus shall, in the case of any undertakers who have sold in the preceding year more than one hundred million cubic feet of gas, and in any other case in which it appears necessary to the gas referees, include a calorimeter for the production of a continuous record of the calorific value of the gas which is being supplied.

(3) Any undertakers with respect to whom an order has been made under this Act shall provide and maintain to the satisfaction of the referees the prescribed testing places and apparatus, and shall give any gas examiner access to any testing place for the proper execution of his duty.

(4) A representative of the undertakers may be present on any occasion on which the gas examiner inspects, or alters, adjusts or replaces the testing apparatus or tests the gas, but shall not interfere with the inspection, alteration, adjustment or replacement, or test.

For the purposes of this subsection, the gas examiner shall, in cases where the testing place is situated elsewhere than on the works of the undertakers, give to the undertakers reasonable notice of the time at which he will attend at the testing place.

(5) The gas referees may, at any time where it appears to them necessary for the proper execution of their duties, enter upon and inspect any of the works of the undertakers, and the undertakers shall afford them and their assistants full facilities for this purpose, and shall furnish the referees with such information with regard to the position of the mains and pipes of the undertakers, and with regard to any other matter as the referees may reasonably require.

Appeals to chief gas examiner.

6.—(1) If the undertakers or the local authority think themselves aggrieved by any prescription of the gas referees, they may, within one month from the making of such prescription, appeal to the chief gas examiner, who, after hearing the parties and any other body or person appearing to him to be interested, may confirm, with or without amendment, or annul the prescription, and the decision of the chief gas examiner shall be final and conclusive.

(2) If the undertakers think themselves aggrieved by any report of a gas examiner, they may, within seven days, appeal to the chief gas examiner, who may confirm, with or without amendment, or annul the report, and whose decision, after hearing the parties, shall be final and conclusive.

(3) The report of a gas examiner (including any such report as amended by the chief gas examiner) showing any failure to comply with the provisions of this Act or any order thereunder as to the calorific value, purity, pressure, or composition of gas, shall be conclusive evidence of the liability of the undertakers to a forfeiture in respect thereof.

(4) Any decision of the chief gas examiner purporting to have been signed by him shall, for all purposes and to all intents, be primâ facie evidence of the due making and signing thereof without proof of such signature.

Remuneration and expense of gas referees.

7.—(1) The salaries, remuneration, pensions, and gratuities of the chief gas examiner and the gas referees and their assistants shall be such as the Board of Trade with the consent of the Treasury may fix.

(2) (*a*) Any such salaries, remuneration, pensions, or gratuities; and

(*b*) any expenses of the chief gas examiner and the gas referees in the execution of their duties or powers under this Act; and

(*c*) any expenses of the Board of Trade which in the opinion of the Treasury are directly attributable to the execution of their powers and duties under this Act;

shall be paid out of the fund established under this section:

Provided that during the first two years after the passing of this Act the expenditure for the purposes aforesaid shall to the extent that may be necessary be paid out of moneys provided by Parliament, but such payments shall be treated as advances, and shall be repaid out of that fund, with interest at such rate and by such instalments, as the Treasury may fix, in the next three succeeding years.

(3) Any undertakers with respect to whom an order under this Act has been made, shall, on or before the first day of April in each year, pay to a fund (to be called the gas fund) a contribution not being at the rate of more than three shillings for each million cubic feet of gas sold by them in the preceding year, and the Treasury may determine that that fund shall be a public fund within the meaning of the Superannuation Act, 1892.

55 & 56 Vict. c. 40.

(4) The Board of Trade shall, not later than the fifteenth day of January in each year, prescribe the rate at which such contribution shall be payable for that year (which shall not exceed the rate reasonably required to meet the estimated expenditure for the year), and the manner in which and the account to which the contribution shall be paid, and the amount payable by the undertakers shall be a debt due by the undertakers to the Crown, and shall be recoverable accordingly with costs.

(5) The Board of Trade shall, as soon as may be after the thirty-first day of March in every year, cause the accounts of the gas fund for the preceding year to be laid before Parliament.

Forfeiture and Penalties.

Penalties for failure to comply with prescription of gas referees.

8. If the undertakers fail to comply with any lawful prescription of the gas referees, or to provide or maintain any testing place, apparatus or materials, or any other matter or thing prescribed therein, or to afford to the gas examiner or gas referees access to any testing place or works in accordance with the requirements of this Act, or to afford or furnish any facilities or information in accordance with the requirements of this Act, the undertakers shall be liable on summary conviction to a fine not exceeding twenty-five pounds, or in the case of a continuing offence twenty-five pounds for each day after such conviction during which such offence continues:

Provided that no proceedings under this section shall be taken—

(*a*) unless the Board of Trade, after giving the undertakers an opportunity of being heard, consent thereto; and

(*b*) in the case of the failure to comply with any lawful prescription, until after the expiration of the period within which the undertakers may under this Act appeal against the prescription; or

(*c*) if the undertakers have appealed as aforesaid, unless or until either such appeal is withdrawn or the chief gas examiner has given a decision thereon.

Forfeiture for deficient calorific value, &c.

9.—(1) If on any day for a period of two hours or upwards the calorific value of gas supplied by any undertakers, ascertained in accordance with the provisions of this Act, is more than five per cent. below the declared calorific value, the undertakers shall be liable on summary conviction to a forfeiture not exceeding five pounds for every complete one per cent. by which the calorific value is deficient in excess of such five per cent.:

Provided that, where there is no continuous record of the calorific value of the gas supplied by any undertakers, if on any occasion of testing the calorific value at any testing-place is found to be more than five per cent. below the declared calorific value a second testing shall be made on the same day after an interval of not less than one hour and the mean of the two testings shall be deemed, for the purposes of this subsection, to be the calorific value of the gas supplied by the undertakers at that testing-place for a period of two hours ascertained as aforesaid.

(2) If on any occasion the gas does not conform to the provisions of this Act or any order made thereunder as to purity or pressure, the undertakers shall be liable on summary conviction to a forfeiture not exceeding ten pounds.

(3) The undertakers shall not be liable to any forfeiture under this section in any case where they show that the deficiency or failure was due to circumstances not within their control, nor shall the undertakers be liable for more than one forfeiture in respect of any one day for any deficiency in calorific value, composition, or pressure of gas supplied from any one works.

(4) If in any quarter the average calorific value of the gas supplied by any undertakers, ascertained in manner prescribed by the gas referees, is less than the declared calorific value, a sum which the chief gas examiner shall determine to be as nearly as may be the amount by which the revenue of the undertakers has been improperly increased shall,—

(*a*) if the undertakers are a local authority, be applied towards a reduction in the price of gas in the next or some succeeding quarter; and

(*b*) in any other case, be deducted from the amount applicable to payment of dividend on the ordinary capital

of the undertakers for the year or half-year in which such quarter occurs, and carried forward to the credit of the revenue account for the next following year or half-year in addition to any other amount which would otherwise have been so carried forward, and the dividend which the undertakers may pay on their ordinary capital in respect of such first-mentioned year or half-year shall be correspondingly reduced; and

(*c*) in every case the amount so ascertained shall be shown in the accounts of the undertakers as a separate item until the undertakers have shown to the satisfaction of the Board of Trade that it has been applied to a reduction in the price of gas.

For the purposes of this provision, the expression "quarter" means the three months commencing on the first day of January, the first day of April, the first day of July, and the first day of October in any year.

(5) Proceedings against the undertakers in respect of any forfeiture incurred under this Act may be commenced at any time within three months after the date of the report of the gas examiner, or after the date of the report of the chief gas examiner on appeal, or, in the event of the undertakers duly appealing to the chief gas examiner and withdrawing the appeal, within three months after the date of the receipt of notice of such withdrawal.

(6) If, on an appeal to the chief gas examiner, he certifies that the default of the undertakers is not substantial or not due to the careless conduct of the undertakers or of their servants, no summary proceedings shall be taken in respect of the default, but the chief gas examiner may by order determine the amount (not exceeding the amount prescribed by subsection (1) or subsection (2) of this section as the forfeiture for the default) of the forfeiture to be paid by the undertakers, and any such order shall have effect as if it were an order of a court of summary jurisdiction.

Power to make Special Orders.

Power to make special orders. 33 & 34 Vict. c. 70.

10.—(1) Anything which under the Gas and Water Works Facilities Act, 1870, or any Act amending the same, may be effected by a provisional order confirmed by Parliament may, so far as those enactments relate to gas, be effected by a special order made on the application of any local authority, company, or person by the Board of Trade under and in accordance with the provisions of this section, and for the purposes of the powers conferred by this section the Gas and Water Works Facilities Act, 1870, shall have effect as though section fifteen thereof, which excludes the Metropolis from the operation of the Act, were omitted therefrom.

(2) Without prejudice to the generality of the powers conferred by this section, the Board of Trade may, by any such special order—

(*a*) empower any undertakers to obtain a supply of gas in bulk from any source whether situated within or without their authorised limits of supply :

(*b*) empower any undertakers to give a separate supply of gas for industrial purposes within their authorised limits of supply :

(*c*) authorise any local authority which may be authorised to supply gas within their district to supply gas outside the district in any area which is not supplied with gas by any other undertakers or which is within the area of supply of any undertakers whose undertaking has been acquired by such local authority :

(*d*) authorise arrangements for the purchase by agreement, joint working or amalgamation of undertakings, including necessary provisions with regard to the capital of the combined undertaking, the vesting of the property and rights of the purchased or amalgamated undertakings, and other necessary incidents and consequences of purchase, amalgamation or joint working :

(*e*) authorise the establishment of superannuation, pension and other like funds :

(*f*) authorise the raising of capital or the borrowing of money for any of the purposes aforesaid :

(*g*) make provision for the purchase or redemption (out of revenue or otherwise) and cancellation of debentures, debenture stock, mortgages or bonds, or of obsolete or unproductive capital, or capital not represented by available assets :

(*h*) modify or amend the provisions of any special Act or other provision relating to the undertaking affected by the special order as may be necessary to provide for the proper and efficient conduct of the undertaking :

(*i*) make such supplemental and consequential provisions as appear necessary to give full effect to the order.

(3) Sections eighty and eighty-one of the Factory and Workshop Act, 1901, which relate to the making of regulations under that Act, as set out and adapted in the Schedule to this Act, shall apply to the making of special orders under this Act. 1 Edw. 7. c. 22.

(4) Before any special order under this Act is made, it shall be laid in draft before both Houses of Parliament, and such order shall not be made unless both Houses, by resolution, approve the draft, either without modification or addition or with modifications or additions to which both Houses agree, but upon such approval being given the Board of Trade may make the order in the form in which it has been approved, and the order on being so made shall be of full force and effect.

(5) For the purposes of any Act of Parliament, whether passed before or after this Act, which refers directly or indirectly to a special Act conferring powers on gas undertakers, a special order under this Act shall be deemed to be a special Act.

General.

Fees for examination of meters.

11. The fees for the examination, comparison and testing, with or without stamping, of meters, shall be such as may be determined from time to time by the Board of Trade, and section nineteen of the Sale of Gas Act, 1859, is hereby repealed:

22 & 23 Vict. c. 66.

Provided that the fees fixed by the said section shall, notwithstanding such repeal, continue to be chargeable unless and until altered by the Board of Trade under the powers conferred by this section.

Application of ss. 5 & 6 of 4 Edw. 7. c. 28.

12. The powers and duties of the Board of Trade under sections five and six of the Weights and Measures Act, 1904, in relation to regulations with respect to measuring instruments and certificates of suitability for use of certain appliances, shall extend to instruments for measuring gas and patterns thereof, and those sections shall have effect accordingly:

Provided that, for the purposes of the said section six as applied by this section, the expression "inspector" shall mean an inspector of gas meters under the Sale of Gas Act, 1859.

Meters to be stamped.

13. All meters by means of which gas is supplied by any undertakers to any consumer shall be stamped in accordance with regulations made by the Board of Trade under their powers in that behalf, and if any undertakers supply gas by means of any meter which is not so stamped, they shall be liable on summary conviction to a fine not exceeding ten pounds.

Qualification for appointment as inspector of meters.

14.—(1) The Board of Trade shall provide for the holding of examinations for the purpose of ascertaining whether applicants for the post of inspector of meters under section four of the Sale of Gas Act, 1859, nominated by the appointing authority, possess sufficient practical knowledge for the proper performance of the duties of that post, and for the grant of certificates to persons who satisfactorily pass such examination.

(2) A person shall not, after the passing of this Act, be appointed to act as an inspector of meters as aforesaid unless he has obtained such certificate as aforesaid.

(3) If any person, not being an inspector duly appointed under the Sale of Gas Act, 1859, acts as such inspector, he shall be liable to a fine not exceeding ten pounds, or, in the case of a second or subsequent offence, twenty pounds.

(4) There shall be charged in respect of the examinations under this section such fees as the Board of Trade, with the concurrence of the Treasury, from time to time fix, and all such fees shall be dealt with in such manner as the Treasury from time to time direct.

Accounts and returns.

15.—(1) All gas undertakers shall furnish to the Board of Trade at such times and in such form and manner as the Board may direct an annual account, and such statistics and returns as the Board may require.

(2) Within seven days of the date on which the annual account is sent to the Board of Trade the undertakers shall furnish a copy thereof to the local authority, and shall place copies on sale at their principal office at a price not exceeding one shilling per copy.

(3) If any undertakers fail to comply with the provisions of this section, they shall be liable on summary conviction to a fine not exceeding forty shillings for each day during which the default continues.

(4) The provisions of this section shall be substituted for the provisions of section thirty-eight of the Gasworks Clauses Act, 1847, and of section thirty-five of the Gasworks Clauses Act, 1871, in so far as such provisions are incorporated in the special Act of the undertakers. 34 & 35 Vict. c. 41.

Power to make rules.

16.—(1) The Board of Trade may make rules in relation to applications and other proceedings under this Act and to the payments to be made in respect thereof, and to the publication and service of notices and the publication of advertisements, and the manner in which and the time within which representations or objections with reference to any application or other proceeding are to be made, and to the holding of inquiries in such cases as they may think it advisable and to the costs of such inquiries, and to any other matters arising in relation to their powers and duties under this Act.

(2) Any rules made in pursuance of this section shall be laid before Parliament as soon as may be after they are made and shall have the same effect as if enacted in this Act.

Exercise of powers of Board of Trade.

17. All things required or authorised under this Act to be done by the Board of Trade, may be done by the President or Secretary or Assistant Secretary of the Board, or any person authorised in that behalf by the President of the Board.

Definitions.

18. For the purposes of this Act—

The expression "local authority" means the common council of the City of London and any county, county borough, or urban district council, and in relation to any gas undertaking means any such local authority the whole or any part of whose area is within or partly within the limits of supply of the undertakers;

The expression "gas undertakers" or "undertakers" means any local authority, company, body or person authorised to supply gas by any Act of Parliament, or any order having the force of an Act of Parliament;

The expression "quarter sessions" in relation to any undertaking means the court of quarter sessions for the county, division or place in which the gasworks of the undertaking are situate.

Supersession of existing enactments.

19. Any provisions of this Act or any order made thereunder shall have effect in lieu of any provisions to the same effect or inconsistent therewith in any Act relating to the testing of gas-measuring instruments, or in any Act or order having the force of an Act relating to an undertaking with respect to which an order has been made under this Act.

Expenses of local authorities.

20. The expenses of a local authority under this Act shall be defrayed, in the case of the common council of the City of London out of the general rate, in the case of a county council as payments for special county purposes made in respect of the parishes which are wholly or partly within the limits of supply of any gas undertakers in respect of which the county council have power to appoint a gas examiner, and in the case of other councils as expenses incurred in the administration of the Public Health Acts, 1875 to 1908.

Application to Scotland and Ireland.

21.—(1) In the application of this Act to Scotland references to the sheriff shall be substituted for references to quarter sessions, the expression "local authority" means the county council and the town council, and the expenses of a local authority under this Act shall be defrayed, in the case of a county council, out of the general purposes rate, provided that, notwithstanding anything in the Local Government (Scotland) Act, 1889, the ratepayers of any police burgh shall not be assessed by the county council for any such expenses, and in the case of a town council out of the burgh general assessment or police rate.

52 & 53 Vict. c. 50.

(2) In the application of this Act to Ireland a reference to the Public Health (Ireland) Acts, 1878 to 1919, shall be substituted for the reference to the Public Health Acts, 1875 to 1908, and the expenses of a county council shall be defrayed out of the county fund and raised as a district charge or district charges over any county district or districts which are wholly or partly within the limits of supply of any gas undertakers in respect of which the county council have power to appoint a gas examiner.

Short title.

22. This Act may be cited as the Gas Regulation Act, 1920.

Section 11.

SCHEDULE.

PROVISIONS OF THE FACTORY AND WORKSHOP ACT, 1901, APPLIED TO SPECIAL ORDERS MADE UNDER THIS ACT.

80.—(1) Before the Board of Trade make any special order under this Act, the undertakers concerned shall publish, in such manner as the Board may think best adapted for informing persons affected,

notice of the application for the order, and of the place where copies of the draft order may be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to the Board of Trade.

(2) Every objection must be in writing and state—

(*a*) The specific grounds of objection; and

(*b*) the omissions, additions, or modifications asked for.

(3) The Board of Trade shall consider any objection made by or on behalf of any persons appearing to them to be affected which is sent to them within the required time.

(4) Where the Board of Trade do not amend or withdraw any draft order to which any objection has been made, then (unless the objection either is withdrawn or appears to them to be frivolous) they shall, before making the order, direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, make the order either without modification or subject to such modification as they think fit, or may refuse to make the order.

81.—(1) The Board of Trade may appoint a competent and impartial person to hold an inquiry with regard to any draft order, and to report to them thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order, may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Board of Trade.

(5) The fee to be paid to the person holding the inquiry shall be such as the Board of Trade may direct.

CHAPTER 29.

An Act to authorise the granting of Credits and the undertaking of Insurances for the purpose of re-establishing Overseas Trade. [9th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power of Board of Trade to grant credits and undertake insurance.

1.—(1) For the purpose of re-establishing trade or any branch of trade between the United Kingdom and any country, being one of the countries specified in the Schedule to this Act, the Board of Trade, with the consent of the Treasury, and after consultation with an advisory committee to be constituted by the Board of Trade for the purposes of this Act, may, where it appears

to the Board advisable so to do by reason of circumstances arising out of the war—

(*a*) make arrangements for granting to persons domiciled in or to companies incorporated by or under the laws of the United Kingdom credits in connection with the export to any country specified in the Schedule to this Act of goods wholly or partly produced or manufactured in the United Kingdom; and

(*b*) undertake the business of the insurance (including re-insurance) of any such goods as aforesaid where risks of an abnormal or exceptional nature are involved, insurance against which cannot, in the opinion of the Board, be otherwise effected on reasonable terms, and for that purpose fix and receive premiums:

Provided that no credit shall be granted by the Board under this section—

(i) so as to make the aggregate amount outstanding in respect of credits at any time exceed the sum of twenty-six million pounds; or

(ii) to an alien, or to a firm in which the majority of the partners are aliens, or to a company where British subjects do not form a majority of the directors, or where a majority of the voting power is not in the hands of British subjects.

(2) Subject to the provisions of this section, any sums repaid to the Board of Trade in respect of credits granted under this section may be applied by the Board for the purpose of any further credits so granted at any subsequent date.

(3) Any sums received by the Board of Trade by way of commission in respect of credits granted under this section, and any premiums received by the Board in respect of insurances undertaken under this section, may be applied by the Board in payment respectively of any expenses incurred in connection with the granting of credits and any expenses incurred in connection with the business of insurance.

(4) Subject as otherwise expressly provided in this section, any expenses incurred by the Board of Trade under this section shall be paid out of moneys provided by Parliament, and any excess of receipts over expenses shall be paid into the Exchequer in accordance with directions to be given by the Treasury.

Commencement and operation.

2.—(1) This Act shall be deemed to have had effect as from the twenty-first day of June nineteen hundred and nineteen.

(2) The powers of the Board of Trade under this Act with respect to the granting of credits may be exercised at any time within the period of three years from the eighth day of September nineteen hundred and nineteen, and the powers of the Board

under this Act with respect to the business of insurance may be exercised at any time within the period of three years from the twenty-first day of June nineteen hundred and nineteen, so, however, that it shall be a term of every credit granted under this Act that any sums becoming due to the Board thereunder shall be repayable at some date not later than six years from the said eighth day of September nineteen hundred and nineteen.

Power to make additions to Schedule.

3.—(1) The Board of Trade may, if they consider it expedient so to do, by order add to the Schedule to this Act the name of any country the industrial and financial condition of which has been disorganised by the war, and any such order may provide that, as respects the country specified in the order, credits shall only be granted as respects trade of such a character or conducted through such channels in that country as may be specified in the order.

(2) Any order made under this section shall be laid before both Houses of Parliament as soon as may be after it is made, and if an address is presented to His Majesty by either House within the next subsequent twenty-one days after the order is so laid, praying that the order may be annulled, His Majesty in Council may annul the order and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Exercise of powers of Board of Trade under Act.

4. Any things authorised under this Act to be done by or to the Board of Trade may be done by or to the President, a secretary, or an assistant secretary, of the Board, or by or to any person authorised in that behalf by the President of the Board.

Return of credits granted.

5. The Board of Trade shall publish quarterly a return showing the amounts of any credits granted under this Act, and the countries in respect of which credits have been granted.

Short title.

6. This Act may be cited as the Overseas Trade (Credits and Insurance) Act, 1920.

SCHEDULE.

Section 1.

Finland.
Latvia.
Esthonia.
Lithuania.
Poland.
Czecho-Slovakia.
Serb-Croat-Slovene State.
Rumania.
Georgia.
Armenia.

CHAPTER 30.

An Act to amend the Law in respect of Insurance against Unemployment. [9th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

INSURED PERSONS.

Persons to be insured against unemployment.

1. Subject to the provisions of this Act, all persons of the age of sixteen and upwards who are engaged in any of the employments specified in Part I. of the First Schedule to this Act, not being employments specified in Part II. of that schedule (in this Act referred to as "employed persons"), shall be insured against unemployment in manner provided by this Act.

Right of insured persons to unemployment benefit.

2. Every person who being insured under this Act is unemployed and in whose case the conditions laid down by this Act (in this Act referred to as "statutory conditions") are fulfilled shall be entitled, subject to the provisions of this Act, to receive payments (in this Act referred to as "unemployment benefit"), at weekly or other prescribed intervals, at such rates and for such periods as are authorised by or under the Second Schedule to this Act, so long as the statutory conditions continue to be fulfilled and so long as he is not disqualified under this Act for the receipt of unemployment benefit.

Exemptions.

3.—(1) Where any employed person proves that he is either—

(*a*) in receipt of any pension or income of the annual value of twenty-six pounds or upwards, which does not depend on his personal exertions; or

(*b*) ordinarily and mainly dependent for his livelihood upon some other person; or

(*c*) ordinarily and mainly dependent for his livelihood on the earnings derived by him from an occupation employment in which does not make him an employed person within the meaning of this Act,

he shall be entitled to a certificate exempting him from liability to become or to continue to be insured under this Act.

(2) All claims for exemption shall be made to and certificates of exemption granted by the Minister in the prescribed manner and subject to the prescribed conditions, and may be so made and granted before as well as after the commencement of this Act :

Provided that regulations under this Act may provide that any certificates of exemption granted under section two of the National Insurance Act, 1911, or any class of such certificates, shall have effect as if they had been granted under this section as well as under that section. 1 & 2 Geo. 5. c. 55.

Power to extend Act to excepted employments.

4.—(1) The Minister may, with the approval of the Treasury, by order provide for including among the persons employed within the meaning of this Act any persons engaged in any of the excepted employments specified in Part II. of the First Schedule to this Act, or any class or description of the persons so engaged, either unconditionally or subject to such conditions as may be specified in the order.

(2) Before any such order is made a draft thereof shall be laid before each House of Parliament for a period of not less than twenty days during which the House is sitting, and if either House, before the expiration of that period presents an Address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft order.

CONTRIBUTIONS.

Contributions by employed persons, employers, and the Treasury.

5.—(1) The funds required for providing unemployment benefit and for making any other payments which under this Act are to be made out of the unemployment fund established under this Act shall be derived partly from contributions by employed persons, partly from contributions by the employers of those persons, and partly from moneys provided by Parliament.

(2) Subject to the provisions of this Act, every employed person and every employer of any such person shall be liable to pay contributions at the rates specified in Part I. of the Third Schedule to this Act.

(3) There shall, subject to the provisions of this section, be paid out of moneys provided by Parliament in respect of each weekly contribution paid by an employer in respect of a man, woman, boy or girl, a contribution at the ordinary rate specified in Part II. of the Third Schedule to this Act as regards men, women, boys and girls, respectively, and the sums to be contributed in any year shall be paid in such manner and at such times as the Treasury may determine.

For the purpose of calculating the amount of the contribution under this subsection, while and in so far as contributions are paid by means of unemployment insurance stamps, the number of contributions paid in respect of men, women, boys and girls, respectively, in any year shall be deemed to be represented by the number of stamps appropriate to contributions by men, women, boys and girls, respectively, sold in that year, after deducting—

(*a*) the number (calculated in the prescribed manner) of stamps of each class which have been used for the

purpose of paying contributions otherwise than under the general provisions of this Act; and

(*b*) the number of stamps of each class in respect of which a refund has been made; and

(*c*) such contributions as have been returned in respect of persons in respect of whom contributions were paid under the erroneous belief that they were payable in respect of those persons under the general provisions of this Act.

(4) Except where regulations under this Act otherwise prescribe, the employer shall in the first instance be liable to pay both the contribution payable by himself (in this Act referred to as "the employer's contribution") and also, on behalf of and to the exclusion of the employed person, the contribution payable by that person, and subject to any such regulations shall be entitled to recover from the employed person, by deduction from his wages or otherwise, the amount of the contributions so paid by him on behalf of the employed person in accordance with the rules set out in the Fourth Schedule to this Act.

(5) Contributions shall not be payable in respect of any person who is in receipt of an old-age pension under the Old Age Pensions Act, 1908 to 1919.

(6) Where it has been decided by the Minister in manner provided by this Act that contributions under this Act are not payable in respect of any person or any class of persons, and that decision is subsequently revised or reversed on appeal so as to make contributions payable in respect of that person or that class of persons, contributions shall be so payable only as from the date on which the decision was so revised or reversed.

(7) The employer of a person who, though an employed person within the meaning of this Act, is not insured under this Act by reason that he has obtained and holds a certificate of exemption under this Act shall be liable to pay the like contributions as would have been payable by him as employer's contributions if that person had been a person liable to be insured under this Act, and regulations made under this Act may provide that in the event of that person subsequently becoming so insured every two contributions paid in respect of him under this subsection shall be treated as if they had been one full contribution paid in respect of him as an employed person under the other provisions of this Act.

The contributions to be paid out of moneys provided by Parliament in respect of contributions paid under this subsection in respect of exempt persons shall be at the rates specified in Part II. of the Third Schedule to this Act in reference to such persons.

Power to make regulations as to

6. Subject to the provisions of this Act, the Minister may make regulations providing for any matters incidental to the pay

ment and collection of contributions payable under this Act, and in particular for— payment of contributions.

(*a*) payment of contributions by means of adhesive or other stamps (in this Act referred to as "unemployment insurance stamps") affixed to or impressed upon books or cards (in this Act respectively referred to as "unemployment books" and "unemployment cards"), or otherwise, and for regulating the manner, times, and conditions in, at, and under which unemployment insurance stamps are to be affixed or impressed or payments are otherwise to be made;

(*b*) the entry in or upon unemployment books or cards of particulars of contributions and benefits paid in the case of the persons to whom the unemployment books or cards relate;

(*c*) the issue, sale, custody, production, and delivery up of unemployment books or cards and the replacement of unemployment books or cards which have been lost, destroyed, or defaced.

UNEMPLOYMENT BENEFIT.

7.—(1) The statutory conditions for the receipt of unemployment benefit by a person insured under this Act (in this Act referred to as "an insured contributor") are— Statutory conditions for receipt of unemployment benefit.

(i) that he proves that not less than twelve contributions have been paid in respect of him under this Act;

(ii) that he has made application for unemployment benefit in the prescribed manner, and proves that since the date of the application he has been continuously unemployed;

(iii) that he is capable of and available for work, but unable to obtain suitable employment;

(iv) that he has not exhausted his right to unemployment benefit under this Act;

(v) that, if he has been required by an insurance officer, in pursuance of regulations made under this Act by the Minister after consultation with the Board of Education, to attend at any course of instruction approved for the purposes of this provision under the regulations so made, he proves that he duly attended in accordance with the requirement:

Provided that a person shall not be deemed to have failed to fulfil the statutory conditions by reason only that he has declined—

(*a*) an offer of employment in a situation vacant in consequence of a stoppage of work due to a trade dispute; or

(*b*) an offer of employment in the district where he was last ordinarily employed at a rate of wage lower, or on conditions less favourable, than those which he habitually obtained in his usual employment in that district, or would have obtained had he continued to be so employed; or

(*c*) an offer of employment in any other district at a rate of wage lower, or on conditions less favourable, than those generally observed in that district by agreement between associations of employers and of employees, or, failing any such agreement, than those generally recognised in that district by good employers.

(2) For the purposes of this Act—

(*a*) A person shall not be deemed to be unemployed on any day on which he is following any occupation from which he derives any remuneration or profit, unless that occupation has ordinarily been followed by him in addition to his usual employment and outside the ordinary working hours of that employment, and the remuneration received therefrom in respect of that day does not exceed three shillings and fourpence, or, where the remuneration is payable in respect of a period longer than a day, the remuneration does not on the daily average exceed that amount:

(*b*) Two periods of unemployment of not less than two days each, separated by a period of not more than two days, during which the insured contributor has not been employed for more than twenty-four hours or two periods of unemployment of not less than three days each separated by an interval of not more than six weeks, shall be treated as a continuous period of unemployment, and the expression "continuously unemployed" shall have a corresponding meaning.

Disqualifications for unemployment benefit.

8.—(1) An insured contributor who has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop, or other premises at which he was employed shall be disqualified for receiving unemployment benefit so long as the stoppage of work continues, except in a case where he has, during the stoppage of work, become bonâ fide employed elsewhere in the occupation which he usually follows or has become regularly engaged in some other occupation.

Where separate branches of work which are commonly carried on as separate businesses in separate premises are in any case carried on in separate departments on the same premises, each of those departments shall, for the purposes of this provision, be deemed to be a separate factory or workshop or separate premises, as the case may be.

(2) An insured contributor who loses his employment through his misconduct, or who voluntarily leaves his employment without just cause, shall be disqualified for receiving unemployment benefit for a period of six weeks or such shorter period, not being less than one week, as may be determined under the provisions of this Act from the date when he so lost or left his employment.

(3) An insured contributor shall be disqualified for receiving unemployment benefit while he is an inmate of any prison or any workhouse or other institution supported wholly or partly out of public funds, or, subject to the provisions of this Act, while he is resident, whether temporarily or permanently, outside the United Kingdom.

(4) Where no contributions are paid in respect of any person during any insurance year, he shall, unless the non-payment of contributions was due to his being sick, be disqualified for receiving unemployment benefit until twelve contributions, exclusive of any contributions paid in respect of him before that year, have been paid in respect of him under this Act, and a person in respect of whom no contributions have been paid during a period comprising five insurance years shall, if contributions are subsequently paid in respect of him, be treated as if he had not previously been an insured contributor.

(5) An insured contributor shall be disqualified for receiving unemployment benefit while he is in receipt of any sickness or disablement benefit or disablement allowance under the National Insurance Health Acts, 1911 to 1920, or while he is in receipt of an old age pension under the Old Age Pensions Acts, 1908 to 1919.

Benefits to be inalienable.

9. Subject to the provisions of this Act, every assignment of, or charge on, and every agreement to assign or charge, any of the benefits conferred by this Act shall be void, and, on the bankruptcy of any person entitled to any such benefit, the benefit shall not pass to any trustee or other person acting on behalf of his creditors.

DETERMINATION OF QUESTIONS, CLAIMS, &C.

Decision of questions by Minister.

10.—(1) If any question arises—

(*a*) as to whether any employment or any class of employment is or will be such employment as to make the person engaged therein an employed person within the meaning of this Act or whether a person is or was an employed person within the meaning of this Act; or

(*b*) whether a person or class of persons is or is not a person or class of persons to whom a special or supplementary scheme under this Act applies; or

(*c*) as to who is the employer of any employed person; or

(*d*) as to the rate of contribution payable under or in pursuance of this Act by or in respect of any person or class of persons or as to the rates of contribution payable in respect of any employed person by the employer and that person respectively;

the question shall be decided by the Minister:

Provided that—

(i) any person aggrieved by the decision of the Minister on any such question may appeal from that decision to the High Court;

(ii) the Minister may, if he thinks fit, instead of himself deciding any such question, refer the question for decision to the High Court.

(2) The Minister may, on new facts being brought to his notice, revise any decision given by him under this section, other than a decision against which an appeal is pending or as respects which the time for appealing has not expired, and an appeal shall lie against any such revised decision in the same manner as against an original decision.

(3) Provision shall be made by rules of court for regulating appeals and references to the High Court under this section, and those rules shall provide for limiting the time within which an appeal may be brought and for the determination in a summary manner of any such appeals or references, and for requiring notice of any such appeals to be given to the Minister.

(4) The Minister shall be entitled to appear and be heard on any appeal or reference under this section.

(5) Notwithstanding anything in any Act, an appeal under this section shall be to a single judge of the High Court to be nominated by the Lord Chancellor for the purpose, and the decision of the High Court on an appeal or reference under this section shall be final.

(6) In the application of this section to Scotland the Court of Session shall be substituted for the High Court and the Lord President of the Court of Session shall be substituted for the Lord Chancellor, and, in the application of this section to Ireland, the Lord Chancellor of Ireland shall be substituted for the Lord Chancellor.

(7) The Minister in exercising the power of deciding questions vested in him by this section shall have regard to the decisions given by the umpire under the enactments repealed by this Act.

(8) This section shall come into operation on the passing of this Act.

Determination of claims.

11.—(1) All claims for unemployment benefit, and all questions whether the statutory conditions are fulfilled in the case of any person claiming such benefit, or whether those conditions

continue to be fulfilled in the case of a person in receipt of such benefit, or whether a person is disqualified for receiving or continuing to receive such benefit, or whether the period for which an insured contributor who has lost his employment through his misconduct or who has voluntarily left his employment without just cause is to be disqualified should be some period less than six weeks, or otherwise arising in connexion with such claims, shall, subject to the provisions of this section, be determined by one of the officers appointed under this Act for determining claims to unemployment benefit (in this Act referred to as "insurance officers").

Every insurance officer shall forthwith take into consideration any claim or question submitted for his determination under the provisions of this subsection, and shall so far as practicable give his decision thereon within fourteen days from the date on which the claim or question was so submitted.

(2) In any case where unemployment benefit is refused or is stopped, or where the amount of the benefit allowed is not in accordance with the claim, the person claiming benefit or in receipt of benefit, as the case may be, may, at any time within twenty-one days from the date on which the decision of the insurance officer is communicated to him, or within such further time as the Minister may in any particular case for special reasons allow, require the insurance officer to report the matter to a court of referees constituted in accordance with this Act, and the court of referees, after considering the circumstances, shall make to the insurance officer such recommendations on the case as they may think proper, and the insurance officer shall, unless he disagrees, give effect to those recommendations.

Where an insurance officer is required to report any matter to the court of referees under this subsection he shall so report the matter within seven days after the date on which he is required so to do, or so soon thereafter as is practicable.

(3) If the insurance officer disagrees with any recommendation made by a court of referees under this section, he shall, if so requested by the court of referees, refer the recommendation, with his reasons for disagreement, to the umpire appointed under this Act.

(4) The insurance officer, in any case in which he considers it expedient to do so, may, instead of himself determining the claim or question, refer it to a court of referees, and if an insurance officer so refers any matter the provisions of the foregoing subsection shall apply as if he had reported the matter to a court of referees.

(5) Where a recommendation has been made under this section, in the case of any person, by a court of referees, any association of employed persons of which that person is a member, and with the consent of the court that person, may require the insurance officer to refer the matter to the umpire,

and the insurance officer if so required shall refer the matter to the umpire accordingly.

(6) Where in pursuance of this section any recommendation made by a court of referees is referred by an insurance officer to the umpire, the decision of the umpire in the matter shall be final and conclusive.

(7) Where any person affected by a recommendation which is referred to the umpire under this section is requested by the umpire to attend before him on the consideration of the case and so attends, he shall be paid, out of moneys provided by Parliament, such travelling and other allowances (including compensation for loss of remunerative time) as the Minister, with the sanction of the Treasury, may determine.

(8) Nothing in this section shall be construed as preventing an insurance officer or umpire, or a court of referees, on new facts being brought to his or their knowledge, revising a decision or recommendation given in any particular case, but, where any such revision is made, the revised decision or recommendation shall, subject as hereinafter provided, have effect as if it had been an original decision or recommendation, and the foregoing provisions of this section shall apply accordingly, without prejudice to the retention of any benefit which may have been received under the decision or recommendation which has been revised:

Provided that, where upon a recommendation by a court of referees unemployment benefit is, in accordance with regulations made under this Act, paid during any period intervening between the claim for benefit and the final determination of the claim, the benefit shall, except where the regulations otherwise prescribe, be treated, notwithstanding that the final determination of the question is adverse to the claim, as having been duly paid and shall not be recoverable from the employed person under the provisions of this Act or otherwise.

52 & 53 Vict. c. 49.

(9) The Arbitration Act, 1889, shall not apply to proceedings under this Act, except so far as it may be applied by regulations under this Act.

(10) For the purposes of proceedings under this Act in Ireland, regulations may apply all or any of the provisions of the Common Law Procedure Amendment Act (Ireland), 1856, with respect to arbitration.

19 & 20 Vict. c. 102.

Appointment of umpire, deputy-umpires, insurance officers, inspectors, &c.

12.—(1) For the purposes of this Act, an umpire and one or more deputy-umpires may be appointed by His Majesty, and insurance officers shall be appointed by the Minister (subject to the consent of the Treasury as to number), and the insurance officers shall be appointed to act for such areas as the Minister directs.

(2) Unless the context otherwise requires, any reference in this Act to the umpire shall include a reference to a deputy-umpire.

(3) The Minister may appoint such other officers, inspectors, and servants for the purposes of this Act as the Minister may,

with the sanction of the Treasury, determine, and there shall be paid, out of moneys provided by Parliament, to the umpire, deputy-umpires, and insurance officers and to such other officers, inspectors, and servants, such salaries or remuneration as the Treasury may determine; and any expenses incurred by the Minister in carrying this Act into effect, to such amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament:

Provided that such sum as the Treasury may direct, not exceeding one-tenth of the receipts paid into the unemployment fund established under this Act on account of income, after deducting, so long as regulations made under this Act provide for the payment of contributions by means of unemployment insurance stamps, any sums which have been refunded on account of any such stamps or on account of contributions paid (whether by stamps or otherwise) in respect of a person under the erroneous belief that the contributions were payable in respect of him under the general provisions of this Act, shall, in accordance with regulations made by the Treasury, be applied as an appropriation in aid of the moneys provided by Parliament for the purpose of such salaries, remuneration, and expenses as aforesaid, and also, if and in so far as may be prescribed, for the purpose of any expenses incurred by any other Government Department for the purposes of or in connection with this Act.

Courts of referees, &c.

13.—(1) A court of referees for the purposes of this Act shall consist of one or more members chosen to represent employers, with an equal number of members chosen to represent insured contributors, and a chairman appointed by the Minister.

(2) Regulations under this Act may provide that any claim or question which is reported or referred to a court of referees may, with the consent of the claimant or the person or association in whose case the question arises, but not otherwise, be proceeded with in the absence of any member or members of the court other than the chairman, and in any such case the court shall, notwithstanding anything in this Act, be deemed to be properly constituted, and the chairman shall, if the number of the members of the court is an even number, have a second or casting vote.

(3) Panels of persons chosen to represent employers and insured contributors respectively shall be constituted by the Minister for such districts and such trades or groups of trades as the Minister may think fit, and the members of a court of referees to be chosen to represent employers and insured contributors shall be selected from those panels in the prescribed manner.

(4) Subject as aforesaid, the constitution of courts of referees shall be determined by regulations under this Act.

(5) Regulations under this Act may provide for the reference to central or local committees representing employers

and employed persons, for consideration and advice, of questions bearing upon the administration of this Act.

(6) The Minister may pay such remuneration to the chairman and other members of a court of referees, and such travelling and other allowances (including, subject as hereinafter provided, compensation for loss of remunerative time) to any such chairman or members or to any persons required to attend before any such court, and such other expenses in connexion with any referees as the Minister with the sanction of the Treasury determines, and any such payments shall be treated as expenses incurred by the Minister in carrying this Act into effect :

Provided that compensation for loss of time shall not be paid to any person in respect of any time during which he is in receipt of remuneration under this section.

FINANCIAL PROVISIONS.

Establishment of unemployment fund.

14.—(1) For the purposes of this Act, there shall be established, under the control and management of the Minister, a fund called the unemployment fund, into which shall be paid all contributions payable under this Act by employers and employed persons and out of moneys provided by Parliament, and out of which shall be paid all claims for unemployment benefit and any other payments which under this Act are payable out of the fund.

(2) The accounts of the unemployment fund shall be audited by the Comptroller and Auditor-General in such manner as the Treasury may direct.

(3) Any moneys forming part of the unemployment fund may from time to time be paid over to the National Debt Commissioners and by them invested, in accordance with regulations made by the Treasury, in any securities which are for the time being authorised by Parliament as investments for savings banks funds.

(4) The National Debt Commissioners shall present to Parliament annually an account of the securities in which moneys forming part of the unemployment fund are for the time being invested.

Provision for securing solvency of unemployment fund.

15.—(1) If it appears to the Treasury at any time that the unemployment fund is in all the circumstances of the case in danger of becoming insolvent, the Minister shall, if the Treasury so direct, by order make such temporary modifications in any of the rates of contribution, or the rates or periods of unemployment benefit, and during such period, as the Minister thinks fit, and as will on the whole, in the opinion of the Treasury, be sufficient to secure the solvency of the unemployment fund :

Provided that no order under this section shall—

(*a*) come into force until one month after it is made; or

(*b*) reduce the weekly rate of unemployment benefit below the sum, in the case of men, of thirteen shillings, and, in the case of women, of ten shillings; or

(*c*) increase the rates of contribution by more than one penny from the employer and one penny from the employed person per person per week; or

(*d*) increase those rates unequally as between employers and employed persons.

(2) An order under this section shall not be made so as to be in force at any time while any previous order made under this section is in force.

(3) On an order being made under this section the Minister shall cause the order, together with a special report as to the reasons for making the order, to be laid before Parliament.

Periodical revision of rates of contribution.

16. If at any time after the expiration of seven years from the commencement of this Act it appears to the Minister that the unemployment fund is insufficient or more than sufficient to discharge the liabilities imposed upon the fund under this Act, or that the rates of contribution are excessive or deficient, or if at any time after the expiration of three years from the commencement of this Act it appears to the Minister that an equalisation of contribution and benefit between men and women is desirable the Minister may, with the sanction of the Treasury, by special order, made in manner hereinafter provided, revise the rates of contribution of employers and employed persons under this Act, and, where any such order is made, the rates prescribed by the order shall, as from such date as may be specified in the order, be substituted for the rates prescribed by this Act:

Provided that—

(*a*) Where a revision of the rates of contribution has been made under this section, no further revision shall be made under this section before the expiration of seven years from the last revision; and

(*b*) No order under this section shall increase the rates of contribution by more than one penny from the employer and one penny from the employed person per person per week above the rates specified in the Third Schedule to this Act; and

(*c*) No order under this section shall vary these rates of contribution unequally as between employers and employed persons.

ARRANGEMENTS.

Arrangements with associations of employed persons which

17.—(1) Subject as hereinafter provided, the Minister may, on the application of any society approved under the National Insurance Act, 1911, or body ancillary thereto, or any other association of employed persons (other than any such society,

make payments to members while unemployed.

body, or association being an industrial assurance company or a collecting society, or a separate section of such company or society, or a society organised by such company or society solely or jointly with other bodies), being a society or other association the rules of which provide for payments to its members, or any class thereof, while unemployed, make an arrangement with the society or other association that, in lieu of paying unemployment benefit under this Act to persons who prove that they are members of the society or other association, there shall be repaid periodically to the society or other association out of the unemployment fund such sum as appears to be, as nearly as may be, equivalent to the aggregate amount which those persons would have received during that period by way of unemployment benefit under this Act if no such arrangement had been made :

Provided that the Minister shall not make or continue an arrangement with a society or other association under this section :—

(*a*) Unless he is of opinion that the payments authorised by the rules of the society or other association to be made to its members when unemployed (inclusive of any payments in respect of which a refund may be made to the society or other association under this section) represent a provision for unemployment as respects such of its members as are employed persons which during the period between the commencement of this Act and the thirty-first day of July nineteen hundred and twenty-one exceeds the provision represented by unemployment benefit at the rate payable under this Act by an amount which is equal to at least one-third of the provision represented by unemployment benefit at the rate payable before the commencement of the National Insurance (Unemployment) Act, 1919, and which thereafter is at least one-third greater than the provision represented by unemployment benefit at the rate payable under this Act :

9 & 10 Geo. 5. c. 77.

(*b*) Unless the society or association has such a system of ascertaining the wages and conditions prevailing in every employment within the meaning of this Act in which its members are engaged and of obtaining from employers notification of vacancies for employment and giving notice thereof to its members when unemployed as is in the opinion of the Minister reasonably effective for securing that unemployed persons competent to undertake the particular class of work required, shall, with all practicable speed, be brought into communication with employers having vacancies to fill.

(2) The council or other governing body of any society or other association which has made such an arrangement as aforesaid shall be entitled to treat the contributions due from any of its members to the unemployment fund under this Act or any part thereof, as if such contributions formed part of the subscriptions payable by those members to the society or other association, and, notwithstanding anything in the rules of the society or other association to the contrary, may reduce the rates of subscription of those members accordingly.

(3) For the purpose of this Act, the amount of any sum which, but for this section, would have been paid to any person by way of unemployment benefit shall be deemed to have been so paid.

(4) The Minister may make regulations for giving effect to this section, and for referring to insurance officers, courts of referees, or the umpire appointed under this Act any question which may arise under this section.

(5) The fact that persons other than employed persons can be members of a society or other association shall not prevent the society or other association being treated as an association for the purposes of this section, if the society or other association is substantially a society or other association for the benefit of employed persons.

(6) The Minister may, with the consent of the Treasury and subject to such conditions and otherwise as the Minister may prescribe, pay to any society or other association with which an arrangement under this section is in force by way of contribution towards the administrative expenses of the society or other association in connexion with the arrangement, such sum, not exceeding in any year an amount calculated at the rate of one shilling for each week of the aggregate number of weeks of unemployment in respect of which a repayment is made to the society or other association under this section, as he thinks fit, and any sum so paid shall be treated as part of the expenses incurred by the Minister in carrying this Act into effect.

SCHEMES.

Power to provide for insurance against unemployment in any industry by means of special scheme.

18.—(1) If it appears to the Minister that insurance against unemployment in any industry can be more satisfactorily provided for by a scheme under this section than by the general provisions of this Act, the Minister may, subject to the provisions of this section, approve or make such a scheme, and any such scheme is in this Act referred to as "a special scheme."

(2) The Minister may by special order approve for the purposes of this section, and whether with or without amendment, any scheme which is made in respect of any industry by a joint industrial council or an association of employers and employees and which provides for the insurance against unemployment of all the employed persons in the industry, or all those persons other than any specified classes thereof, and the benefits under

which are in the opinion of the Minister not less favourable on the whole than the benefits provided by this Act.

(3) Provision may be made by a special scheme for insuring the persons to whom the scheme applies against partial unemployment as well as against unemployment.

(4) Where no special scheme has been made with respect to an industry by a joint industrial council or association of employers and employees and approved by the Minister, the Minister after consultation with the joint industrial council or with persons representing the employers and employees who would be affected by the scheme may himself by special order make a special scheme with respect to that industry.

(5) A special scheme shall not apply to any persons other than persons who are employed persons within the meaning of this Act.

(6) Where a special scheme is in force, the employed persons to whom the scheme applies shall not, subject to the provisions of this Act, be liable to become or to continue to be insured under the general provisions of this Act, or be entitled to unemployment benefit.

(7) Where a special scheme is in force, there shall, subject to compliance with the prescribed conditions, be paid to the body charged with the administration of the scheme in every year out of moneys provided by Parliament such sum as the Minister, in view of the estimated income and expenditure under the scheme, may by regulations made by him with the consent of the Treasury determine but not exceeding in any event three-tenths of the amount, calculated in the prescribed manner, which would, if the scheme had not been in force, have been paid by way of contributions under the general provisions of this Act out of moneys provided by Parliament in respect of the employed persons to whom the scheme applies.

(8) A special scheme may apply for the purposes of the scheme, with or without modification, any of the provisions of this Act, and may contain such other provisions, including provisions for the constitution of a body to be charged with the administration of the scheme and with respect to the supervision of the administration of the scheme and accounts, and, subject to the consent of the Treasury, with respect to the investment of funds and audit, as the Minister considers to be necessary for the purpose of giving effect to the scheme and to the provisions of this section :

The general provisions of this Act shall not, except in so far as they are applied by a special scheme, apply to, or have effect in relation to or for the purposes of, any special scheme or the persons insured thereunder.

(9) A special scheme shall, when approved or made by the Minister, have effect as if enacted in this Act and shall continue in force until determined in accordance with the provisions thereof, and the Minister may at any time, in the case of a

special scheme made by a joint industrial council or an association of employers and employees on the application of the council or association, and in the case of a scheme made by himself after consultation with persons representing employers and employees affected by the scheme, by special order vary or amend the provisions of a scheme made under this section.

(10) Where a special scheme for any industry comes into force on or before the fourth day of July, nineteen hundred and twenty-one, there shall be paid out of the unemployment fund to the body charged with the administration of the scheme such sum as may be determined to be approximately equivalent to the amount of the contributions paid by employers and employed persons during the period between the commencement of this Act and the date on which the scheme comes into force in respect of employed persons while employed in the industry, together with such sum as may be determined to be approximately equivalent to the amount to which, having regard to the number of the contributions aforesaid, the body charged with the administration of the scheme would if the scheme had been in force during the period aforesaid have been entitled under subsection (5) of this section, after deducting such sum as may be determined to be approximately equivalent to the amount paid or payable out of the unemployment fund to employed persons in the industry at any time before they cease to be entitled to benefit under the general provisions of this Act, together with such sum as may be determined to be approximately equivalent to the rateable part of the costs of administering the general provisions of this Act.

In this subsection the expression "determined" means determined in accordance with regulations made under this Act by the Minister with the approval of the Treasury.

(11) A special scheme may be made with respect to two or more industries, and in relation to a scheme so made or proposed to be so made this section shall have effect as if for the references therein to a joint industrial council or an association of employers and employees there were substituted references to joint industrial councils or associations of employers and employees acting in respect of the two or more industries.

(12) For the purposes of this section—

The expression "industry" means any class or classes of establishments or undertakings, or any class or classes of establishments or undertakings in any area, which the Minister may determine to be an industry for that purpose; and

The expression "association of employers and employees" means an association so constituted that the members of the association who are employers consist of persons employing a substantial majority of the employees in

the industry and the members who are employees consist of persons representing a substantial majority of the employees in the industry; and

A person shall be deemed, notwithstanding that he is employed on any day, to be partially unemployed if on that day the employment available for him is not such as to enable him to earn the full rate of wages, and the expression "partial unemployment" shall be construed accordingly.

Power to make regulations with respect to transition from general provisions of Act to special schemes and vice versâ.

19. The Minister may, with the approval of the Treasury, make regulations for determining and regulating the position of persons who at any time pass from the general provisions of this Act to the provisions of a special scheme, or from the provisions of a special scheme to the general provisions of this Act, or from one special scheme to another special scheme, and in particular for providing that a person shall be entitled, for such period and subject to such terms and conditions as may be specified by or in pursuance of the regulations, to receive unemployment benefit under this Act, or benefits under a special scheme after he has ceased to be subject to the general provisions of this Act or to the scheme, as the case may be.

Supplementary schemes.

20.—(1) A joint industrial council or an association of employers and employees may submit to the Minister a scheme for insuring insured contributors in any industry against unemployment during periods of unemployment in respect of which they may not be entitled to unemployment benefit or against partial unemployment, or for paying to any such insured contributors while they are in receipt of unemployment benefit an additional sum by way of benefit in respect of unemployment.

(2) The Minister may by special order approve, whether with or without amendment, any scheme so submitted (in this Act referred to as a "supplementary scheme") if he is satisfied that it is expedient that the scheme should come into operation.

(3) A supplementary scheme may apply, for the purposes of the scheme, with or without modifications, any of the provisions of this Act, and may contain such other provisions, (including provisions for the constitution of a body to be charged with the administration of the scheme and with respect to the supervision of the administration of the scheme and accounts) as the Minister considers to be necessary for the purpose of giving effect to the scheme:

Provided that—

(*a*) no part of the funds required for providing benefits under a supplementary scheme or otherwise in connection therewith shall be derived from moneys provided by Parliament; and

(*b*) the general provisions of this Act shall not, except in so far as they are applied by a supplementary scheme, apply to or have effect in relation to or for the purposes of the scheme.

(4) A supplementary scheme, when approved by the Minister, shall have effect as if enacted in this Act and shall continue in force until determined in accordance with the provisions thereof, and the Minister may at any time if so requested by the joint industrial council or association of employers and employees concerned by special order vary or amend the provisions of the scheme.

(5) In this section the expressions "industry" and "association of employers and employees" and "partial unemployment" have respectively the same meanings as in the provisions of this Act relating to special schemes.

Power to require statistics with respect to special and supplementary schemes.

21. The Minister may make regulations requiring the body charged with the administration of a special scheme, or of a supplementary scheme, to furnish at prescribed intervals returns with respect to the state of employment in the industry to which the scheme relates, and with respect to such other matters in connection with the scheme as may be prescribed.

LEGAL PROCEEDINGS.

Offences and proceedings for recovery of contributions &c.

22.—(1) If for the purpose of obtaining any benefit or payment under this Act, either for himself or for any other person or for the purpose of avoiding any payment to be made by himself under this Act, or enabling any other person to avoid any such payment, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding three months, with or without hard labour.

A court of summary jurisdiction in Ireland shall have the same power as a court of summary jurisdiction in England in the case of a person convicted for an offence under this subsection of imposing a fine not exceeding twenty-five pounds instead of imprisonment if the court is of opinion that the justice of the case would be better met by a fine than by imprisonment.

(2) If any employer or employed person has failed or neglected to pay any contributions which he is liable under this Act to pay, or if any employer or employed person or any other person refuses or neglects to comply with any of the requirements of this Act or the regulations made thereunder, or if any employer deducts or attempts to deduct from the wages or other remuneration of an employed person the whole or any part of the employer's contribution, he shall, for each offence, be liable on summary conviction to a fine not exceeding ten pounds.

(3) Where an employer has been convicted under the foregoing provisions of this section of the offence of failing or neglecting to pay any contribution under this Act, he shall be liable to pay to the unemployment fund a sum equal to the amount which he has so failed or neglected to pay, and on

such a conviction if notice of the intention to do so has been served with the summons or warrant, evidence may be given of the failure or neglect on the part of the employer to pay other contributions in respect of the same person during the year preceding the date when the information was so laid, and on proof of such failure or neglect the employer shall be liable to pay to the unemployment fund a sum equal to the total of all the contributions which he is so proved to have failed or neglected to pay.

Any sum paid by an employer under the foregoing provision shall be treated as a payment in satisfaction of the unpaid contributions, and the employed person's portion of those contributions shall not be recoverable by the employer from the employed person.

(4) Every person who buys, sells, or offers for sale, takes or gives in exchange, or pawns or takes in pawn, any unemployment card, unemployment book, or used unemployment insurance stamp, shall be liable on summary conviction to a fine not exceeding twenty pounds, and in any proceedings under the foregoing provisions with respect to used stamps, a stamp shall be deemed to have been used if it has been cancelled or defaced in any way whatever, and whether it has been actually used for the purpose of payment of a contribution or not.

(5) If it is found at any time that a person has been in receipt of unemployment benefit whilst the statutory conditions were not fulfilled in his case, or whilst he was disqualified for receiving unemployment benefit, he shall, subject to the provisions of this Act, be liable to repay to the unemployment fund any sums paid to him in respect of unemployment benefit while the statutory conditions were not fulfilled, or while he was disqualified for receiving the benefit.

(6) Nothing in this section shall be construed as preventing the Minister from recovering any sums due to the unemployment fund by means of civil proceedings, and all such sums shall be recoverable as debts due to the Crown, and without prejudice to any other remedy may be recovered by the Minister summarily as a civil debt.

(7) In any proceedings under this section or in any proceedings involving any question as to the payment of contributions under this Act or for the recovery of any sums due to the unemployment fund the decision of the Minister on any question whether a person is or was an employed person within the meaning of this Act or not shall, unless an appeal against the decision is pending, or the time for appealing against the decision has not expired, be conclusive for the purpose of those proceedings, and if such a decision has not been obtained and the decision of the question is necessary for the determination of the proceedings the question shall be referred to the Minister for decision in accordance with the provisions of this Act, and where

any such appeal is pending, or the time for so appealing has not expired, or any question has been so referred to the Minister, the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

Power to take and conduct proceedings.

23.—(1) Proceedings for an offence under this Act shall not be instituted except by or with the consent of the Minister or by an inspector or other officer appointed for the purpose of this Act and authorised in that behalf by special or general directions of the Minister, or in Scotland except by the Minister, the procurator-fiscal, or any such inspector or officer so authorised as aforesaid, and any such inspector or other officer may, although not a counsel or solicitor or law agent, prosecute or conduct before a court of summary jurisdiction any such proceedings under this Act.

(2) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under this Act may be commenced at any time within three months from the date on which evidence, sufficient in the opinion of the Minister to justify a prosecution for the offence, comes to his knowledge, or within six months after the commission of the offence, whichever period is the longer.

For the purposes of the foregoing provision, a certificate purporting to be signed by the Minister as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.

(3) It shall be no objection to the competency of a person to give evidence as a witness in proceedings in Scotland under this Act that the proceedings are prosecuted or conducted by that person.

Civil proceedings against employer for neglect to comply with Act.

24.—(1) Where an employer has failed or neglected to pay any contributions which under this Act he is liable to pay in respect of any employed person in his employment, or has failed or neglected to comply, in relation to any such person, with the requirements of any regulations relating to the payment and collection of contributions, and by reason thereof that person has lost in whole or in part the unemployment benefit to which he would have been entitled under this Act, he shall be entitled to recover summarily from the employer as a civil debt a sum equal to the amount of the unemployment benefit so lost.

(2) Proceedings may be taken under this section notwithstanding that proceedings have been taken under any other provision of this Act in respect of the same failure or neglect.

MISCELLANEOUS.

Repayment in certain cases of part of contribu-

25.—(1) If it is shown to the satisfaction of the Minister by any person who is or has been an insured contributor or by his personal representatives that that person has paid con-

tions paid by employed persons.

tributions in accordance with the general provisions of this Act in respect of not less than the required number of weeks, and that he has, or had before his death, reached the age of sixty, he or his representatives shall be entitled to be repaid out of the unemployment fund the amount if any by which the total amount of those contributions exclusive of any contributions refunded under any of the provisions of this Act or of any regulations made thereunder has exceeded the total amount received by him by way of unemployment benefit, together with compound interest at the rate of two and a half per centum per annum calculated in the prescribed manner and as if a proportionate part of the amount of the excess had become due at the end of each insurance year next after the date on which the first contribution was paid by him:

Provided that where no contributions have been paid in respect of any person for a period comprising five insurance years, no account shall, for the purpose of the foregoing provision be taken of any contributions paid in respect of him before the last such period.

For the purpose of the foregoing provision the expression "the required number of weeks" means in the case of an insured contributor who, at the time when contributions being contributions of which account is to be taken for the purpose of the foregoing provisions, first became payable in respect of him, was over the age of fifty-five, five hundred weeks reduced by fifty weeks for every year or part of year by which his age at that time exceeded fifty-five, and in the case of any other insured contributor, five hundred weeks.

(2) Repayment to an insured contributor under this section shall not affect his liability to pay contributions under this Act, and if after any such repayment he becomes entitled to unemployment benefit he shall, for the purpose of ascertaining the period during which he is to be entitled to benefit, be treated as having paid in respect of the period for which the repayment was made the full number of contributions which is most nearly equal in the case of men to three-fifths and in the case of women to five-eighths of the number of contributions actually paid during that period.

(3) Where an insured contributor, after receiving a repayment under this section, pays further contributions under this Act he shall, if the number of those further contributions exceeds one hundred, be entitled to a further repayment under this section, and in the case of his death his representative shall be entitled to such further repayment whatever may be the number of those further contributions.

Priority of claims for contributions due by bankrupt employers. 8 Edw. 7. c. 69.

26.—(1) There shall be included among the debts which, under section two hundred and nine of the Companies (Consolidation) Act, 1908, are, in the distribution of the assets of a company being wound up to be paid in priority to all other debts, all contributions payable under this Act by the company in

respect of employed persons during the four months before the commencement of the winding up or the winding-up order, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by rules made under that Act.

(2) In the case of the winding up of a company within the meaning of the Stannaries Act, 1887, such contributions as aforesaid shall, if payable in respect of a miner, have the like priority as is conferred on wages of miners by section nine of that Act, and that section shall have effect accordingly. 50 & 51 Vict. c. 43.

(3) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

(4) Paragraph (*e*) of subsection (1) of section thirty-three of the Bankruptcy Act, 1914, and paragraph (*e*) of subsection (1) of section one hundred and eighteen of the Bankruptcy (Scotland) Act, 1913 (which relate to priority of debts), shall have effect as though for the references therein to contributions payable under the National Insurance Act, 1911, in respect of workmen in an insured trade there were substituted references to contributions payable under this Act in respect of employed persons. 4 & 5 Geo. 5. c. 59. 3 & 4 Geo. 5. c. 20.

(5) There shall be included among the debts which, under section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, are, in the distribution of the property of a bankrupt or arranging debtor, to be paid in priority to all other debts, all contributions payable under this Act by the bankrupt or arranging debtor in respect of employed persons during the four months before the date of the order of adjudication in the case of a bankrupt or the filing of the petition for arrangement in the case of an arranging debtor, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this subsection shall not be required except in cases where it may otherwise be provided by general orders made under the said Act. 52 & 53 Vict. c. 60.

Outdoor relief.

27. In determining whether outdoor relief shall or shall not be granted to a person in receipt of or entitled to receive unemployment benefit or benefit under a special or supplementary scheme, the authority having power to grant the relief shall not take into account any such benefit except in so far as it exceeds ten shillings a week.

Provisions as to return of contributions and as to rewards for lost insurance books.

28.—(1) The regulations made under this Act shall provide for the return to a person and to his employer of any contributions paid by them respectively under the erroneous belief that the contributions were payable in respect of that person under the general provisions of this Act, subject, in the case of the employed person's contributions, to the deduction of any amount received by him in respect of unemployment benefit to which

he would not have been entitled if those contributions had not been paid:

Provided that no return of contributions shall be made under this provision except on an application made in the prescribed manner and within the prescribed period, not being less than one year from the date on which the contributions were paid.

(2) Where under regulations made under this Act any sum has been paid out of the unemployment fund by way of reward for the return of an unemployment book or card which has been lost, the person responsible for the custody of the book or card at the time of its loss shall be liable to repay the sum so paid, not exceeding one shilling in respect of any one occasion.

Powers of inspectors.

29.—(1) An inspector appointed under this Act shall, for the purposes of the execution of this Act, have power to do all or any of the following things, namely:—

(*a*) To enter at all reasonable times any premises or place, other than a private dwelling-house not being a workshop, where he has reasonable grounds for supposing that any employed persons are employed;

(*b*) To make such examination and inquiry as may be necessary for ascertaining whether the provisions of this Act are complied with in any such premises or place;

(*c*) To examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under this Act, every person whom he finds in any such premises or place, or whom he has reasonable cause to believe to be or to have been an employed person, and to require every such person to be so examined, and to sign a declaration of the truth of the matters in respect of which he is so examined;

(*d*) To exercise such other powers as may be necessary for carrying this Act into effect.

(2) The occupier of any such premises or place and any other person employing any employed person, and the servants and agents of any such occupier or other person, and any employed person shall furnish to any inspector all such information and shall produce for inspection all such registers, books, cards, wages sheets, records of wages, and other documents as the inspector may reasonably require.

(3) If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, he shall be liable on summary conviction to a fine not exceeding five pounds:

Provided that no one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

(4) Where any such premises or place are liable to be inspected by inspectors or other officers employed by, or are under the control of, some other Government department, the Minister may make arrangements with that other Government department, for any of the powers and duties of inspectors under this section being carried out by inspectors or other officers of such other Government department, and, where such an arrangement is made, such inspectors and officers shall have all the powers of an inspector under this section.

(5) Every inspector shall be furnished with the prescribed certificate of his appointment, and on applying for admission to any premises or place for the purposes of this Act shall, if so required, produce the said certificate to the occupier.

Payment of travelling expenses of insured contributor. 9 Edw. 7. c. 7.

30. Where any person to whom an advance on account of the expenses of travelling to a place where employment has been found for him has been made under subsection (1) of section two of the Labour Exchanges Act, 1909, is an insured contributor who would in the opinion of the Minister be entitled to receive or to continue to receive unemployment benefit if he became or remained unemployed, the Minister may repay out of the unemployment fund to the fund out of which the advance was made such part of the advance as may with the consent of the Treasury be prescribed, but if the person to whom the advance was made fails without reasonable excuse to enter on the employment found for him the sum so repaid out of the unemployment fund may be recovered from him or deducted from any unemployment benefit which may thereafter become payable to him, and if so recovered shall be paid into the unemployment fund.

Provision with respect to persons engaged through employment exchanges.

31. The Minister may, in such cases and on such conditions as he may prescribe, make an arrangement with any employer liable to pay contributions under this Act or under the National Insurance Health Acts, 1911 to 1920, whereby in respect of persons engaged by that employer through an employment exchange or in the employ of that employer at the date of the arrangement the performance of all or any of the duties required under this Act or under the National Insurance (Health) Acts, 1911 to 1920, to be performed by the employer in respect of those persons, whether on his own behalf or on behalf of the employed persons, shall be undertaken on behalf of the employer by the employment exchange.

Provisions as to birth, marriage and death certificates.

32. Where, for the purposes of this Act, the age, marriage, or death of any person is required to be proved by the production of a certificate of birth, marriage, or death, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time

prescribed by the Minister of Health, the Scottish Board of Health, or the Local Government Board for Ireland, as the case may be, and, on payment of a fee in the case of a birth certificate of sixpence, and in the case of a marriage or death certificate of one shilling, be entitled to obtain a certified copy of the entry of the birth, marriage, or death, as the case may be, of that person in the register of births, marriages, or deaths as the case may be, under the hand of the registrar or superintendent registrar or other person having the custody thereof and forms for such requisition shall on request be supplied without any charge by every registrar of births and deaths and by every superintendent registrar or other person having the custody of the register.

Provisions as to insurance stamps.

33. Unemployment insurance stamps shall be prepared and issued in such manner as the Commissioners of Inland Revenue, with the consent of the Treasury, may direct, and the said Commissioners may, by regulations made in accordance with the provisions of this Act relating to regulations made by the Minister, provide for applying, with the necessary adaptations, as respects unemployment insurance stamps, all or any of the provisions (including penal provisions) of the Stamp Duties Management Act, 1891, as amended by any subsequent Act, and section sixty-five of the Post Office Act, 1908, and may with the consent of the Postmaster-General provide for the sale of unemployment insurance stamps through the Post Office.

54 & 55 Vict. c. 38.

8 Edw. 7. c. 48.

Exemption of documents from stamp duty.

34. Stamp duty shall not be chargeable upon such documents used in connection with business under this Act as are specified in the Fifth Schedule to this Act.

Regulations.

35.—(1) The Minister may make regulations for any of the purposes for which regulations may be made under this Act or the Schedules thereto, and for prescribing anything which under this Act or any such Schedules is to be prescribed, and also—

(*a*) for permitting persons who are engaged under the same employer partly in an occupation employment in which makes them employed persons within the meaning of this Act and partly in some other occupation to be treated, with the consent of the employer, for the purposes of this Act, as if they were wholly engaged in the first-mentioned occupation; and

(*b*) for prescribing the evidence to be required as to the fulfilment of the conditions and the absence of the disqualifications for receiving or continuing to receive unemployment benefit, and for that purpose requiring the attendance of insured contributors at such offices or places and at such times as may be required, and requiring employers to answer inquiries relating to

any matters on which the fulfilment of the conditions or the absence of the disqualifications depends; and

(*c*) for prescribing the manner in which claims for unemployment benefit may be made and the procedure to be followed on the consideration and examination of claims and questions to be considered and determined by the Minister, umpire, insurance officers, and courts of referees, and the mode in which any question may be raised as to the continuance, in the case of a person in receipt of unemployment benefit, of the benefit; and

(*d*) for making provision with respect to the appointment of persons to act in the place of the umpire or any deputy-umpire in the case of the unavoidable absence or incapacity of the umpire or any deputy-umpire; and

(*e*) with respect to the payment of contributions and benefits during any period intervening between any application for the determination of any question or any claim for benefit and the final determination of the question or claim; and

(*f*) for providing in the case of any persons who are insured at the commencement of this Act under the enactments repealed by this Act for the transition from the provisions of those Acts to the provisions of this Act; and

(*g*) generally for carrying this Act into effect.

(2) Regulations made under this Act may, with the concurrence of the Postmaster-General, provide for enabling claimants of unemployment benefit to make their claims for unemployment benefit through the Post Office, and for the payment of unemployment benefit through the Post Office.

(3) All regulations made under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of any new regulation.

(4) Any regulations made under this Act shall have effect as if enacted in this Act.

(5) Section one of the Rules Publication Act, 1893 (which requires notices to be given of a proposal to make statutory rules), shall not apply to any regulations made under this Act. 56 & 57 Vict. c. 66.

Procedure for making special orders. 1 Edw. 7. c. 22.

36.—(1) Sections eighty and eighty-one of the Factory and Workshop Act, 1901, relating to the making of regulations under that Act, as set out and adapted in the Sixth Schedule to this Act, shall apply to special orders made under this Act.

(2) Before a special order comes into force, it shall be laid before each House of Parliament for a period of not less than twenty days during which the House is sitting, and, if either of those Houses before the expiration of those twenty days presents an Address to His Majesty against the order or any part thereof, no further proceedings shall be taken thereon without prejudice to the making of any new order.

Power to revoke or vary orders.

37. Any order or special order made under any of the provisions of this Act may be revoked, varied, or amended by an order or special order made in like manner.

Exercise of powers of Minister.

38. Anything required or authorised under this Act to be done by, to, or before, the Minister may be done by, to, or before, a secretary to the Ministry of Labour or by, to, or before, any assistant secretary to the Ministry or other person authorised in that behalf by the Minister.

Special provisions as to the mercantile marine.

39. The Minister may, after consultation with the Board of Trade, make a special order modifying in such manner as he thinks proper the provisions of this Act (other than provisions determining the rates of contributions) in their application to masters, seamen, and apprentices to the sea service and sea fishing service, and in particular, without prejudice to the generality of the foregoing provision, any such special order may provide—

(*a*) for the exclusion from this Act of any masters, seamen, or apprentices who are neither domiciled nor have a place of residence in the United Kingdom, and for the payment by the employers of such masters, seamen, or apprentices of contributions at the same rates as would have been payable by them as employer's contributions if the masters, seamen or apprentices had been employed persons within the meaning of this Act;

(*b*) for the administration in the prescribed manner of the funds arising from the contributions paid by employers in respect of masters, seamen, or apprentices who are excluded from the provisions of this Act, and for the objects towards which any such funds may be applied.

Application of Act in the case of the Crown and of reservists or territorials during training.

40.—(1) This Act shall apply to persons employed by or under the Crown to whom this Act would apply if the employer were a private person, except to such of those persons as are serving in an established capacity in the permanent service of the Crown, or having been granted certificates by the Civil Service Commissioners are serving a probationary period preliminary to establishment, subject, however, to such modifications as may be made therein by Order in Council for the purpose of adapting the provisions of this Act to the case of such persons.

(2) Where a man of the naval reserves, the army reserve, the air force reserve, or the territorial force, is being trained and is in receipt of pay out of the moneys provided by Parliament for the navy, army, or air force services, and was normally before his training an employed person within the meaning of this Act, he shall for the purposes of this Act be deemed while so training to be an employed person in the service of the Crown.

Special provision with respect to discharged seamen, marines, soldiers, and airmen.

41.—(1) For the purpose of qualifying seamen, marines, soldiers and airmen to receive unemployment benefit on their return to civil life, the Admiralty, Army Council, and Air Council, respectively, shall, subject as hereinafter provided, out of moneys provided by Parliament for Navy, Army and Air Force services, respectively, pay to the unemployment fund by way of employers' and employed persons' contributions in respect of all seamen, marines, soldiers, and airmen discharged from the service after the thirty-first day of July, nineteen hundred and twenty, such sum as may in the opinion of the Treasury be sufficient to enable those seamen, marines, soldiers, and airmen to be credited on discharge with the fixed number of contributions, and every seaman, marine, soldier, and airman who is so discharged shall, for the purposes of the provisions of this Act relating to the rights of an insured person with respect to unemployment benefit but not for any other purpose, be treated as though he were on the date of his discharge an insured contributor in respect of whom the fixed number of contributions have been paid, and who ceases to be employed on that date:

Provided that no such payment shall be made in respect of any person who is, after the commencement of this Act, entitled to receive any sum out of public funds under any scheme for making payments to discharged seamen, marines, soldiers, or airmen in respect of unemployment.

(2) The fixed number of contributions for the purposes of this section shall be ninety unless the Treasury are at any time of opinion that, having regard to the sums payable to the unemployment fund under this section, it is necessary to fix some lower number.

(3) The sums to be paid under this section to the unemployment fund shall be calculated in such manner as the Treasury may direct, and shall be paid to the unemployment fund in such manner and at such dates as may be agreed upon between the Minister and the Admiralty, Army Council, and Air Council, respectively.

(4) Nothing in this section shall apply to any seaman, marine, soldier, or airman who is discharged at his own request or at the request of his parent or guardian, or who is a deserter, or who is discharged or dismissed in consequence of having been convicted on any proceedings under the Naval Discipline Act, the Army Act, or the Air Force Act, or by any civil court, or to recruits or re-enlisted pensioners not finally approved.

(5) In this section—

28 & 29 Vict. c. 73.

The expression "seaman" means a seaman within the meaning of the Naval and Marine (Pay and Pensions) Act, 1865;

The expression "marine" means a marine within the meaning of the Naval and Marine (Pay and Pensions) Act, 1865;

The expression "soldier" means a soldier of the regular forces, but does not include any soldier of His Majesty's Indian forces or Royal Malta Artillery, or a native soldier of any regiment raised outside the United Kingdom;

The expression "airman" means a man of the regular air force;

Reference to "discharge" includes references to "transfer to the reserve," in the case of a seaman, marine, soldier, or airman who, on the completion of any term of service, is transferred to any reserve.

Reciprocal arrangements with Isle of Man and Channel Islands.

42. The Minister may, with the consent of the Treasury, make arrangements with the authority administering any statutory scheme of unemployment insurance in the Isle of Man or the Channel Islands for the payment of unemployment benefit in the Isle of Man or Channel Islands, as the case may be, to persons who would, if they had been resident in the United Kingdom, have been entitled to unemployment benefit under this Act and for the payment of unemployment benefit in the United Kingdom to persons entitled to unemployment benefit under the statutory scheme.

TEMPORARY AND TRANSITORY PROVISIONS.

Contributions in respect of employment abroad.

43. Where, during the continuance of the war and a period of one year thereafter, a person is engaged outside the United Kingdom in any employment which, if it were employment in the United Kingdom, would make him an employed person within the meaning of this Act on work connected with or arising out of the war, and the contributions which would be payable in respect of that person if the employment were in the United Kingdom are by agreement between him and his employer paid in manner prescribed by this Act, those contributions shall be deemed to have been properly paid for the purposes of this Act, and that person shall accordingly for those purposes be deemed to be an employed person within the meaning of this Act.

Provision with respect to benefit during first twelve months of operation of Act.

44. During the period of twelve months next after the commencement of this Act, every person in respect of whom not less than four contributions have been paid under this Act shall, notwithstanding that the first statutory condition may not have been fulfilled in his case, but subject to the other provisions of this Act, be entitled to receive unemployment benefit

for periods not exceeding in the aggregate eight weeks, and for the purpose of qualifying any insured contributor to receive benefit up to the aggregate amount aforesaid within the period aforesaid, but for no other purpose, there shall be treated as having been paid in respect of him such number of contributions as, together with the number of contributions in fact paid in respect of him, will be sufficient to qualify him as aforesaid.

Power to remove difficulties.

45. If any difficulty arises with respect to the constitution of special or supplementary schemes or otherwise in any manner whatsoever in bringing this Act into operation, the Minister, with the consent of the Treasury, may by order do anything which appears to him necessary or expedient for the constitution of such schemes or for otherwise bringing this Act into operation, and any such order may modify the provisions of this Act so far as may appear necessary or expedient for carrying the order into effect:

Provided that the Minister shall not exercise the powers conferred by this section after one year from the commencement of this Act.

Provision as to contributions, unemployment fund, and officers under repealed Acts.

46.—(1) Any contributions paid in respect of any persons under the Acts repealed by this Act shall for all the purposes of this Act be treated as if they were an equal number of contributions paid in respect of them under this Act.

(2) All sums standing at the commencement of this Act to the credit of the unemployment fund established under the Acts repealed by this Act shall be transferred to and be deemed to form part of the unemployment fund established under this Act.

(3) The existing umpire, insurance officers, referees, chairmen of courts of referees and all other officers, inspectors and servants appointed for the purposes of the Acts repealed by this Act shall be treated as if they had been appointed to corresponding offices under this Act and shall hold office accordingly.

INTERPRETATION, SHORT TITLE AND REPEAL.

Interpretation and application.

47.—(1) For the purposes of this Act—

(*a*) Contributions made by an employer on behalf of an employed person shall be deemed to be contributions by the employed person:

(*b*) A person engaged in temporary work provided by a central body or distress committee under the Unemployed Workmen Act, 1905, or towards the provision of which any such central body or distress committee has contributed under that Act, shall not be deemed to be an employed person within the meaning of this Act:

5 Edw. 7. c. 18.

(*c*) The expression "trade dispute" means any dispute between employers and employees, or between employees and employees, which is connected with the

employment or non-employment, or the terms of employment, or with the conditions of employment, of any persons, whether employees in the employment of the employer with whom the dispute arises or not :

(*d*) The expression "the Minister" means the Minister of Labour :

(*e*) The expression "insurance year" means such period of not less than fifty-two or more than fifty-three weeks as may be prescribed :

Provided that—

(i) the period commencing on the eighteenth day of July, nineteen hundred and twenty, and ending on the third day of July, nineteen hundred and twenty-one, shall be an insurance year;

(ii) as respects the period prior to the said eighteenth day of July, nineteen hundred and twenty, the expression "insurance year" means any period which was an insurance year under the provisions of the enactments repealed by this Act; and

(iii) for the purpose of meeting any change in the insurance year or for the purpose of making provision for any period which may elapse between the date upon which contributions commence to be payable under this Act and the commencement of the insurance year next following the third day of July, nineteen hundred and twenty-one, the Minister may make such corresponding reduction as regards the number of weeks of benefit which may be received within that less period as appears to him to be proper :

(*f*) A person shall be deemed according to the law in England, Wales, and Ireland, as well as according to the law in Scotland, not to have attained the age of sixteen until the commencement of the sixteenth anniversary of the day of his birth, and similarly with respect to other ages.

(2) In determining any question as to whether any occupation in which a person is or has been engaged is or was such as to make him an employed person within the meaning of this Act regard shall be had to the nature of the work on which he is or was engaged rather than to the business of the person by whom he is or was employed.

Short title and repeal.

48.—(1) This Act may be cited as the Unemployment Insurance Act, 1920.

(2) This Act shall, save as therein otherwise expressly provided, come into operation on the eighth day of November, nineteen hundred and twenty.

(3) Section five of the National Insurance (Part II. Amendment) Act, 1914, is hereby repealed as from the seventeenth day of July, nineteen hundred and twenty, and the other provisions of the National Insurance (Unemployment) Acts, 1911 to 1919, are hereby repealed as from the commencement of this Act. 4 & 5 Geo. 5. c. 57.

SCHEDULES.

FIRST SCHEDULE.

Sections 1 and 4.

PART I.

EMPLOYMENTS WITHIN THE MEANING OF THE ACT.

(*a*) Employment in the United Kingdom under any contract of service or apprenticeship, written or oral, whether expressed or implied, and whether the employed person is paid by the employer or some other person, and whether under one or more employers, and whether paid by time or by the piece, or partly by time and partly by the piece, or otherwise, or, except in the case of a contract of apprenticeship, without any money payment.

(*b*) Employment under such a contract as aforesaid as master or a member of the crew of any ship registered in the United Kingdom or of any other British ship or vessel of which the owner, or, if there is more than one owner, the managing owner or manager, resides or has his principal place of business in the United Kingdom.

(*c*) Employment under any local or other public authority, other than any such employment as may be excluded by a special order.

PART II.

EXCEPTED EMPLOYMENTS.

(*a*) Employment in agriculture, including horticulture and forestry.

(*b*) Employment in domestic service, except where the employed person is employed in any trade or business carried on for the purposes of gain.

(*c*) Employment in the naval, military, or air service of the Crown, including service in officers' training corps, except as otherwise provided in this Act.

(*d*) Employment—

(i) under any local or other public authority; or

(ii) in a police force; or

(iii) in the service of any railway company, or a joint committee of two or more such companies; or

(iv) in the service of any public utility company, that is to say, any company carrying on any undertaking for the supply of gas, water, hydraulic power or electricity, any dock or canal undertaking, or any tramway undertaking, including a light railway constructed wholly or mainly on a public road; or

(v) in which the persons employed are entitled to rights in a superannuation fund established by or in pursuance of an Act of Parliament for the benefit of persons in that employment,

where the Minister certifies that the employed person is not subject to dismissal except for misconduct or for neglect in the performance of or unfitness to perform his duties, and that the terms and conditions on which the employed person is engaged make it unnecessary that he should be insured under this Act.

8 & 9 Geo. 5. c. 55.
9 & 10 Geo. 5. c. 17.
42 & 43 Vict. c. 74.

(*e*) Employment as a teacher of any person who is in recognised service within the meaning of the School Teachers (Superannuation) Act, 1918, or in a capacity which, if that person were under the age of sixty-five years, would be such recognised service, or employment as a teacher to whom the scheme under the Education (Scotland) (Superannuation) Act, 1919, or the National School Teachers (Ireland) Act, 1879, applies, or, in the event of any similar enactment being hereafter passed as respects teachers or any class of teachers, as a teacher to whom such enactment applies.

(*f*) Employment as a teacher in a State-aided school in Scotland at any time after the person employed has undergone an examination in order to qualify for the position of a certificated teacher and before the announcement of the result of the examination, and employment as a junior student in such a school, and employment in a public elementary school in England as a pupil or student teacher or in a national school in Ireland as a monitor.

(*g*) Employment as an agent paid by commission or fees or a share in the profits, or partly in one and partly in another such ways, where the person so employed is mainly dependent for his livelihood on his earnings from some other occupation, or where he is ordinarily employed as such agent by more than one employer, and his employment under no one of such employers is that on which he is mainly dependent for his livelihood.

(*h*) Employment otherwise than by way of manual labour and at a rate of remuneration exceeding in value two hundred and fifty pounds a year, or in cases where such employment involves part-time service only, at a rate of remuneration which, in the opinion of the Minister is equivalent to a rate of remuneration exceeding two hundred and fifty pounds a year for whole-time service.

(*i*) Employment of a casual nature otherwise than for the purposes of the employer's trade or business, and otherwise than for the purposes of any game or recreation where the persons employed are engaged or paid through a club, and in such case the club shall be deemed to be the employer.

(*j*) Employment of any class which may be specified in a special order made by the Minister, or in a special order made under the

National Insurance Health Acts, 1911 to 1920, and declared by the Minister to apply for the purposes of this Act, as being of such a nature that it is ordinarily adopted as subsidiary employment only and not as the principal means of livelihood.

(*k*) Employment as a member of the crew of a fishing vessel where the employed person is wholly remunerated by a share in the profits or the gross earnings of the working of the vessel.

(*l*) Employment in the service of the husband or wife of the employed person.

(*m*) Employment in respect of which no wages or other money payment is made, where the person employed is the child of, or is maintained by, the employer.

SECOND SCHEDULE.

Section 4.

RATES AND PERIODS OF UNEMPLOYMENT BENEFIT.

1. Unemployment benefit shall be payable in respect of each week of any continuous period of unemployment after the first three days of unemployment, and shall, subject as hereinafter provided, be at the weekly rate of fifteen shillings for men and twelve shillings for women, or such other weekly rates as may be prescribed :

Provided that, in the case of an insured contributor under the age of eighteen unemployment benefit shall only be paid at half the full rate.

2. No person shall receive unemployment benefit for more than fifteen or such other number of weeks as may be prescribed, either generally or for any particular employment or branch thereof, within any insurance year, or in respect of any period of less than one day.

3. No person shall receive more unemployment benefit than in the proportion of one week's benefit for every six contributions paid in respect of him under this Act, or such other proportion as may be prescribed with the consent of the Treasury :

Provided that where, owing to the fact that the wages or other remuneration of an employed person are paid at intervals greater than a week, or for any other like reason contributions are paid under this Act in respect of any person at intervals greater than a week, that person shall for the purpose of this paragraph be entitled to treat each of those contributions as so many contributions as there are weeks in the period for which the contribution was paid.

4. Any time during which a person is, under this Act, disqualified for receiving unemployment benefit shall be excluded in the computation of periods of unemployment under this Schedule.

5. A period of unemployment shall not be deemed to commence till the employed person has made application for unemployment benefit in the prescribed manner.

6. The power conferred by this Schedule on the Minister of prescribing rates and periods of unemployment benefit shall not be exercised so as to increase the rate of benefit above seventeen shillings per week for men or above fourteen shillings per week for women, or to reduce it below thirteen shillings per week for men or below ten shillings per week for women, or so as to increase the period of unemployment benefit above fifteen weeks, or so as to alter the proportion which the period of benefit bears to the number of contributions paid, except by rules confirmed by an order made in accordance with the provisions of this Act relating to special orders.

Sections 5 and 16.

THIRD SCHEDULE.

PART I.

RATES OF CONTRIBUTIONS BY EMPLOYED PERSONS AND EMPLOYERS.

Ordinary Rates.

From the employed person for each week—	
In the case of men	4*d.*
In the case of women	3*d.*
From the employer for each week—	
In the case of employed persons being men	4*d.*
In the case of employed persons being women	3½*d.*

Rates in case of Persons under Eighteen.

From the employed person for each week—	
In the case of boys	2*d.*
In the case of girls	1½*d.*
From the employer for each week—	
In the case of employed persons being boys	2*d.*
In the case of employed persons being girls	2*d.*

PART II.

RATES OF CONTRIBUTIONS OUT OF MONEYS PROVIDED BY PARLIAMENT.

Ordinary Rates.

For every contribution paid in respect of a	man		2*d.*
,,	,,	woman	1⅔*d.*
,,	,,	boy	1¼*d.*
,,	,,	girl	1*d.*

Rates in case of Exempt Persons.

For every contribution paid in respect of a	man	- -	1*d.*
,, ,,	woman	- -	$\frac{5}{6}$*d.*
,, ,,	boy	- -	$\frac{2}{3}$*d.*
,, ,,	girl	- -	$\frac{1}{2}$*d.*

FOURTH SCHEDULE.

Section 5.

RULES AS TO PAYMENT AND RECOVERY OF CONTRIBUTIONS PAID BY EMPLOYERS ON BEHALF OF EMPLOYED PERSONS.

(1) A weekly contribution shall be payable for each calendar week during the whole or any part of which an employed person has been employed by an employer:

Provided that where one weekly contribution has been paid in respect of an employed person in any week, no further contribution shall be payable in respect of him in the same week, and that, where no remuneration has been received and no services rendered by an employed person during any such week, the employer shall not be liable to pay any contribution either on his own behalf or on behalf of the employed person in respect of that week.

(2) The employer shall, except as hereinafter provided, be entitled to recover from the employed person the amount of any contributions paid by him on behalf of the employed person.

(3) Except where the employed person does not receive any wages or other pecuniary remuneration from the employer, the amounts so recoverable shall, notwithstanding the provisions of any Act or any contract to the contrary, be recoverable by means of deductions from the wages of the employed person or from any other remuneration due from the employer to the employed person and not otherwise, but no such deductions may be made from any wages or remuneration other than such as are paid in respect of the period or part of the period in respect of which the contribution is payable, or in excess of the sum which represents the amount of the contributions for the period (if such period is longer than a week) in respect of which the wages or other remuneration are paid.

(4) Where a contribution paid by the employer on behalf of an employed person is recoverable from such person, but is not recoverable by means of deductions as aforesaid, it shall (without prejudice to any other means of recovery) be recoverable summarily as a civil debt, but no such contribution shall be recoverable unless proceedings for the purpose are instituted within three months from the date when the contribution was payable.

(5) Where the employed person is employed by more than one person in any calendar week, the first person employing him in that week or such other employer or employers as may be prescribed, shall be deemed to be the employer for the purposes of the provisions of this Act relating to the payment of contributions and of this schedule.

(6) Regulations made under this Act may provide that in any cases or any classes of cases where employed persons work under the general control and management of some person other than their immediate employer, such as the owner, agent, or manager of a mine or quarry, or the occupier of a factory or workshop, such person shall, for the purposes of the provisions of this Act relating to the payment of contributions and of this schedule, be treated as the employer, and may provide for allowing him to deduct the amount of any contributions (other than employer's contributions) which he may become liable to pay from any sums payable by him to the immediate employer, and for enabling the immediate employer to recover from the employed persons the like sums and in the like manner as if he were liable to pay the contributions.

(7) Where the employed person is not paid wages or other money payments by his employer or any other person, the employer shall be liable to pay the contributions payable both by himself and the employed person and shall not be entitled to recover any part thereof from the employed person.

(8) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of, or otherwise to recover from the employed person, the employer's contribution.

(9) Any sum deducted by an employer from wages or other remuneration under this schedule shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

(10) For the purposes of this schedule, the expression "calendar week" means the period from midnight on one Sunday to midnight on the following Sunday.

Section 34.

FIFTH SCHEDULE.

DOCUMENTS EXEMPT FROM STAMP DUTY.

(1) Draft or order or receipt given by or to an association or branch thereof in respect of money payable in pursuance of this Act or given in respect of benefit payable under any special or supplementary scheme, or in respect of any sums payable to the body charged with the administration of a special or supplementary scheme, or in respect of any sums payable by an association to its members in pursuance of an arrangement made under this Act.

(2) Letter or power of attorney granted by any person as trustee for the transfer of any money invested in his name in the public funds or in any other securities and forming part of any funds applicable for the purpose of any special or supplementary scheme.

(3) Agreement, bond, or other security made or given for the purpose of, or in connection with, any arrangement made under this Act with an association which makes payments to its members while

unemployed, or for the purpose of or in connection with any special or supplementary scheme.

(4) Appointment or revocation of appointment of an agent, appointment of a new trustee, and any conveyance or transfer made for effectuating the appointment of a new trustee, and any other document authorised by or in pursuance of this Act or of any special or supplementary scheme or otherwise required in order to give effect to the provisions of this Act, including a statutory declaration.

(5) Receipt given by an insured contributor in respect of benefit payable, or by any person in respect of a refund, repayment, or return of contributions paid under this Act.

SIXTH SCHEDULE.

Section 36.

PROVISIONS OF THE FACTORY AND WORKSHOP ACT, 1901, APPLIED TO SPECIAL ORDERS MADE UNDER THIS ACT.

80.—(1) Before the Minister makes any special order under this Act, he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the order, and of the place where copies of the draft order may be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to him.

(2) Every objection must be in writing and state—

(*a*) the draft order or portions of draft order objected to;

(*b*) the specific grounds of objection; and

(*c*) the omissions, additions, or modifications asked for.

(3) The Minister shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft order, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the Minister does not amend or withdraw any draft order to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous,) he shall, before making the order, direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, make the order, either without modification or subject to such modification as he thinks fit, or may refuse to make the order.

81.—(1) The Minister may appoint a competent and impartial person to hold an inquiry with regard to any draft special order, and to report to him thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Minister.

(5) The fee to be paid to the person holding the inquiry shall be such as the Minister may direct and shall be deemed to be part of the expenses of the Minister in carrying this Act into effect.

CHAPTER 31.

An Act to make provision for the Restoration and Maintenance of Order in Ireland. [9th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulations for the restoration and maintenance of order in Ireland. 5 & 6 Geo. 5. c. 8.

1.—(1) Where it appears to His Majesty in Council that, owing to the existence of a state of disorder in Ireland, the ordinary law is inadequate for the prevention and punishment of crime or the maintenance of order, His Majesty in Council may issue regulations under the Defence of the Realm Consolidation Act, 1914, (hereinafter referred to as the principal Act) for securing the restoration and maintenance of order in Ireland, and as to the powers and duties for that purpose of the Lord Lieutenant and the Chief Secretary, and of members of His Majesty's forces and other persons acting on His Majesty's behalf, and in particular regulations for the special purposes hereinafter mentioned:

Provided that all regulations so made shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House within the next fourteen days during the session of Parliament after any such regulation is laid before it praying that the regulation may be annulled, His Majesty may annul the regulation and it shall thenceforth be void, without prejudice to the validity of anything done thereunder, or to the power of making a new regulation; and the regulations shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

56 & 57 Vict. c. 66.

(2) The provisions of the principal Act with respect to the trial by courts-martial or courts of summary jurisdiction and punishment of persons committing offences against the Defence

of the Realm Regulations, shall extend to the trial of persons alleged to have committed, and the punishment on conviction, of persons who have committed crimes in Ireland, whether before or after the passing of this Act, including persons committed for trial or against whom indictments have been found, so, however, that—

(*a*) any crime when so tried shall be punishable with the punishment assigned to the crime by statute or common law;

(*b*) a court-martial when trying a person charged with a crime punishable by death shall include as a member of the court one person (who need not be an officer, or, if an officer, need not possess such qualification as is mentioned in subsection (3) of section forty-eight of the Army Act) nominated by the Lord Lieutenant, being a person certified by the Lord Chancellor of Ireland or the Lord Chief Justice of England to be a person of legal knowledge and experience;

and regulations under the principal Act may be made accordingly.

(3) Regulations so made may also—

(*a*) provide that a court of summary jurisdiction, when trying a person charged with a crime or with an offence against the regulations or when hearing and determining any application with respect to a recognisance, shall, except in the Dublin metropolitan police district, be constituted of two or more resident magistrates, and that a court of quarter sessions, when hearing and determining an appeal against a conviction of a court of summary jurisdiction for any such crime or offence, or against an order made on any such application, shall be constituted of the recorder or county court judge, sitting alone;

(*b*) confer on a court-martial the powers and jurisdiction exerciseable by justices or any other civil court for binding persons to keep the peace or be of good behaviour, for estreating and enforcing recognisances, and for compelling persons to give evidence and to produce documents before the court;

(*c*) confer on persons authorised to summon witnesses before a court-martial the power of issuing warrants for compelling persons to attend as witnesses, and any warrant so issued shall have the like effect and be executed in the like manner as if issued by a justice or court of summary jurisdiction having jurisdiction in the place in which it is executed or sought to be executed;

(*d*) authorise the imposition by courts-martial of fines in addition to or in substitution for any other punishments for offences against the regulations, as well as for crimes,

and provide for the manner in which such fines are to be enforced;

(*e*) authorise the conveyance to and detention in any of His Majesty's prisons in any part of the United Kingdom of any persons upon whom a sentence of imprisonment has been passed in Ireland, whether before or after the passing of this Act;

(*f*) provide for any of the duties of a coroner and coroner's jury being performed by a court of inquiry constituted under the Army Act instead of by the coroner and jury;

(*g*) provide that, where the court house or other building in which any court is usually held has been destroyed or rendered unfit or is otherwise unavailable for the purpose, the court may be held in such other court house or building as may be directed by the Lord Lieutenant;

(*h*) authorise the trial without a jury of any action, counter claim, civil bill, issue, cause, or matter in the High Court or a county court in Ireland which, apart from this provision, would be triable with a jury;

(*i*) provide for the retention of sums payable to any local authority from the Local Taxation (Ireland) Account, or from any Parliamentary grant, or from any fund administered by any Government department or public body, where the local authority has in any respect refused or failed to perform its duties, or for the purpose of discharging amounts awarded against the local authority in respect of compensation for criminal injuries, or other liabilities of the local authority, and for the application of the sums so retained in or towards the purpose aforesaid.

(4) Any such regulations may apply either generally to the whole of Ireland or to any part thereof, and may be issued at any time, whether before or after the termination of the present war, and the principal Act shall continue in force so far as may be necessary for that purpose, and the regulations may contain such incidental, supplemental, and consequential provisions as may be necessary for carrying out the purposes of this Act, and shall have effect as if enacted in this Act.

5 & 6 Geo. 5. c. 34.

(5) Section two of the Defence of the Realm (Amendment) Act, 1915, shall apply to proceedings before a court-martial in respect of a crime or an offence against the regulations, but, save as aforesaid, that Act shall not apply.

(6) In this Act, unless the context otherwise requires—

The expression "crime" means any treason, treason felony, felony, misdemeanor, or other offence punishable,

whether on indictment or on summary conviction, by imprisonment or by any greater punishment, other than offences against the Defence of the Realm Regulations :

The expression " person committed for trial " shall include a person who has entered into a recognisance conditioned to appear and plead to an indictment or to take his trial upon any criminal charge, or who has been committed to prison there to await his trial for any crime.

2. This Act may be cited as the Restoration of Order in Ireland Act, 1920. Short title.

CHAPTER 32.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and nineteen and one thousand nine hundred and twenty-one, and to appropriate the Supplies granted in this Session of Parliament. [16th August 1920.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

GRANTS OUT OF CONSOLIDATED FUND.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ended on the thirty-first day of March, one thousand nine hundred and nineteen, the sum of fifty-seven thousand seven hundred and seven pounds six shillings and seven pence. Issue of 57,707*l.* 6*s.* 7*d* out of the Consolidated Fund.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply Issue of 445,870,339*l.* out of the

Consolidated Fund.

towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-one, the sum of four hundred and forty-five million eight hundred and seventy thousand three hundred and thirty-nine pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole four hundred and forty-five million nine hundred and twenty-eight thousand and forty-six pounds six shillings and seven pence.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

4. All sums granted by this Act and the other Acts mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of eight hundred and twenty-eight million six hundred and forty thousand and twenty-two pounds six shillings and seven pence, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the services and purposes expressed in Schedule (B) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule.

54 & 55 Vict. c. 24.

5.—(1) So long as the aggregate expenditure on naval and air services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the air services respectively be not exceeded.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and air services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

6. Whereas under the powers given for the purpose by the Appropriation Acts, 1918 and 1919, surpluses arising on certain votes for the naval, military and air services respectively have been temporarily applied as shown in the accounts set out in Schedule (C) to this Act:

Sanction for navy, army and air expenditure for 1918–1919 unprovided for. 8 & 9 Geo. 5. c. 56. 9 & 10 Geo. 5. c. 88.

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

7. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, air force, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Declaration required in certain cases before receipt of sums appropriated.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

8. This Act may be cited for all purposes as the Appropriation Act, 1920.

Short title.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

Section 4.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	828,640,022	6	7

Section 4.

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1918–1919–1920.	£	s.	d.	£	s.	d.
Part 1. Navy Excesses, 1918–1919	10	0	0	4,951,750	15	9
,, 2. Civil Service Excess, 1918–1919 - - - -	57,697	6	7	—		
,, 3. Navy (Supplementary), 1919–1920 - -	10	0	0	8,400,990	0	0
,, 4. Civil Services (Supplementary), 1919–1920 -	20,862,116	0	0	21,669,390	0	0
,, 5. Revenue Departments (Supplementary), 1919–1920 - -	7,865,000	0	0	570,000	0	0
£	28,784,833	6	7	35,592,130	15	9
1920–1921.						
Part 6. Navy - - - - -	84,372,300	0	0	12,217,881	0	0
,, 7. Army - - - - -	125,000,000	0	0	24,750,000	0	0
Army (Ordnance Factories) - - - -	100	0	0	6,878,000	0	0
,, 8. Air Force - - -	21,056,930	0	0	1,772,689	0	0
£	230,429,330	0	0	45,618,570	0	0
Part 9. Civil Services, Class I.	12,343,387	0	0	433,796	0	0
,, 10. Ditto, Class II.	21,450,217	0	0	3,373,327	0	0
,, 11. Ditto, Class III.	17,858,439	0	0	896,728	0	0
,, 12. Ditto, Class IV.	59,302,008	0	0	118,940	0	0
,, 13. Ditto, Class V.	5,196,917	0	0	357,120	0	0
,, 14. Ditto, Class VI.	4,852,102	0	0	14,800	0	0
,, 15. Ditto, Class VII.	85,616,469	0	0	9,080,960	0	0
,, 16. Ditto, Unclassified	301,022,247	0	0	23,365,000	0	0
TOTAL CIVIL SERVICES - £	507,641,786	0	0	37,640,671	0	0

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	*s.*	*d.*	£	*s.*	*d.*
Part 17. Revenue Departments, &c. - - - - -	61,784,073	0	0	1,195,649	0	0
GRAND TOTAL - £	828,640,022	6	7	120,047,020	15	9

SCHEDULE (A.)

SCHED. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	*s.*	*d.*
For the service of the year ended on the 31st day of March 1919 :—			
Under this Act - - - - - - -	57,707	6	7
For the service of the year ended on the 31st day of March 1920 :—			
Under Act 10 Geo. 5. c. 1 - - -	28,727,126	0	0
For the service of the year ending on the 31st day of March 1921 :—			
Under Act 10 Geo. 5. c. 1 - - - -	353,984,850	0	0
Under this Act - - - - - -	445,870,339	0	0
TOTAL - - - - -	828,640,022	6	7

SCHEDULE (B.)—PART 1.

SCHED. (B.) PART 1. Navy Excesses, 1918–1919.

NAVY EXCESSES, 1918–1919.

	Sums not exceeding				
	Supply Grant.			Appropriation in Aid.	
	£	*s.*	*d.*	£	*s.*
Sum granted to make good excesses of Navy expenditure beyond the Grants, for the year ended on the 31st day of March 1919	10	0	0	4,951,750	15

SCHED. (B.) PART 2. Civil Service Excess, 1918-1919.

SCHEDULE (B.)—PART 2.

CIVIL SERVICE EXCESS, 1918–1919.

	Sums not exceeding	
	Supply Grants.	Appropriation in Aid.
	£ s. d.	£ s. d.
Sum granted to make good an excess on the Grant for Secret Service for the year ended on the 31st day of March 1919 -	57,697 6 7	—

SCHED. (B.) PART 3. Navy (Supplementary), 1919–1920.

SCHEDULE (B.)—PART 3.

NAVY (SUPPLEMENTARY), 1919–1920.

SUMS granted and sums which may be applied as appropriations in aid in addition thereto to meet additional expenditure on Navy Services for the year ended on the 31st day of March 1920, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote 3. Medical Establishments and Services -	20,000	—
Vote 5. Educational Services - - - -	16,000	—
Vote 8. Shipbuilding, Repairs, Maintenance, &c. :—		
Section I. Personnel - - -	355,000	—
Section III. Contract Work - -	5,366,000	130,000
Vote 11. Miscellaneous Effective Services - -	2,383,000	155,000
Vote 12. Admiralty Office - - - - -	106,000	—
Vote 14. Naval and Marine Pensions, Gratuities, and Compassionate Allowances	228,000	—
Vote 15. Civil Superannuation, Compensation Allowances, and Gratuities - -	81,000	—
	8,555,000	285,000

SCHED. (B.) PART 3. Navy (Supplementary), 1919–1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Less Surpluses on :—		
Vote 1. Wages, &c., of Officers, Seamen and Boys, Coast Guard, Royal Marines, Women's Royal Naval Service, and Mercantile Officers and Men	812,000	—
Vote 2. Victualling and Clothing for the Navy	462,000	1,550,000
Vote 6. Scientific Services	104,000	34,000
Vote 8. Shipbuilding, Repairs, Maintenance, &c. :—		
Section II. Matériel	6,269,000	5,737,000
Vote 9. Naval Armaments and Aviation	798,000	791,000
Vote 10. Works, Buildings, and Repairs at Home and Abroad	109,990	3,990
	8,554,990	
Net Amount £	10	8,400,990

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4. Civil Services (Supplementary), 1919–1920.

CIVIL SERVICES (SUPPLEMENTARY), 1919–1920.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1920, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.	£	£
CLASS I.		
For expenditure in respect of royal palaces, including a grant in aid	3,350	—
For expenditure in respect of Osborne	500	—
For expenditure in respect of the royal parks, and pleasure gardens	33,800	—
For expenditure in respect of the Houses of Parliament buildings	3,000	—
For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad	207,900	35,000
For expenditure in respect of Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad	25	—

SCHED. (B.) PART 4. Civil Services (Supplementary), 1919-1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid
CIVIL SERVICES—*cont.*	£	£
CLASS I.—*cont.*		
For expenditure in respect of Ministry of Labour, Employment Exchange, and Insurance buildings, Great Britain	235,010	—
For expenditure in respect of sundry public buildings in Great Britain, not provided for on other votes	482,000	120,000
For the expenses of survey of the United Kingdom, and for minor services connected therewith	24,300	25,000
For rates and contributions in lieu of Rates, &c., in respect of Government Property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the rating of Government property department, and for a contribution towards the Expenses of the London Fire Brigade	213,520	—
For expenditure in respect of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon, and for grants in aid	75,620	8,780
For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Railways (Ireland) Act, 1896, the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish railways	10,565	—
CLASS II.		
For the salaries and expenses of the offices of the House of Lords	9,441	—
For the salaries and other expenses in the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896	51,787	—
For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs, including the Foreign Claims Office, Foreign Trade Department, War Trade Statistical Department and News Department	10	23,990
For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid and other expenses connected with Oversea Settlement	73,550	—
For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments, including certain Special Services arising out of the War	10	1,189,565

SCHED. (B.), PART 4. Civil Services (Supplementary), 1919–1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid
	£	£
CIVIL SERVICES—*cont.*		
CLASS II.—*cont.*		
For the salaries and expenses of the Department of Overseas Trade	10	26,340
For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including Merchant Seamen's Fund Pensions	35,900	87,000
For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Act, 1914	20,000	—22,059*
For a grant in aid of the Forestry Fund	99,000	—
For the salaries and expenses of the Ministry of Agriculture and Fisheries, of the Agricultural Wages Board, of the Royal Botanic Gardens, Kew, and of the Food Production Department, including certain grants in aid	10	559,790
For the salaries and expenses of the Civil Service Commission	7,320	—
For the salaries and expenses of the Registry of Friendly Societies	2,324	1,000
For the salaries and expenses of the Department of the Registrar-General of Births, &c.	8,000	9,300
For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings	105,000	—
For the salaries and expenses of the Fishery Board for Scotland, including grants in aid of piers or quays, and certain special expenditure in connection with the purchase and storage of pickled herrings	10	2,990
For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London (including grants for the higher education of ex-officers, &c.), of the Inspectors of Lunatic Asylums and of the Irish Public Health Council, and expenses under the Inebriates Acts	47,700	—
For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid and the expenses of the Agricultural Wages Board for Ireland and certain special services in connection with food production	10	11,490
For the Congested Districts Board for Ireland, including sundry grants in aid	10	9,990

* Deficit.

SCHED. (B.) PART 4. Civil Services (Supplementary), 1919–1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
CLASS II.—*cont.*		
For the salaries and expenses of the Local Government Board in Ireland, including sundry grants in aid, and including the cost of certain special services arising out of the war	17,226	—
For the salaries and expenses of the general valuation and boundary survey of Ireland	6,868	450
CLASS III.		
For the salaries of the law officers department, the salaries and expenses of the departments of His Majesty's Procurator-General, and of the Solicitor for the affairs of His Majesty's Treasury and of the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary agency	10	18,674
For the salaries and expenses of the office of Land Registry	19,406	—
For the salaries and expenses of the office of Public Trustee	10	33,990
For the expenses of the prisons in England, Wales, and the Colonies, including a grant in aid of certain expenses connected with Discharged Prisoners	162,000	—
For the salaries and expenses of the office of the Inspector of Reformatories, and for the expense of the maintenance of juvenile offenders in Reformatory Industrial and Day Industrial Schools, and in places of detention under the Children Act, in Great Britain	48,900	17,000
For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh	12,700	—
For the salaries, allowances, and expenses of various county court officers and of magistrates in Ireland, and the expenses of revision	25,990	—
For the expenses of reformatory and industrial schools in Ireland	17,900	—
For the expenses of the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	4,000	—
CLASS IV.		
For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain Grants in Aid	39,793	1,500

SCHED. (B.) PART 4. Civil Services (Supplementary), 1919–1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
CLASS IV.—*cont.*		
For sundry Grants in Aid of Scientific Investigation, &c. and other grants	10	—
For Public Education in Scotland, and for Science and Art in Scotland	371,194	—
For the salaries and expenses of the National Gallery of Ireland	600	—
CLASS V.		
For Sundry Colonial Services, including certain grants in aid	225,000	—
CLASS VI.		
For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances, gratuities, and supplementary pensions awarded by the Treasury; and for the salaries of medical referees	210,500	—
For certain miscellaneous expenses, including certain charitable and other allowances, Great Britain	13,146	4,700
For a grant in aid of the Mission of His Royal Highness the Prince of Wales to Australia, New Zealand, &c.	20,000	—
For the expenses of certain emergency services arising out of the railway strike	530,500	—
CLASS VII.		
For the payment of Old Age Pensions in the United Kingdom, for certain administrative expenses in connection therewith and for certain special charges arising out of the war, including additional allowances to Old Age Pensioners	1,750,000	—
For the salaries and expenses of the National Health Insurance Joint Committee (including sundry grants in aid)	88,500	—
For the salaries and expenses of the Ministry of Health, including sundry contributions and grants in respect of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918, certain grants in aid, and certain special services arising out of the war	10	—

SCHED. (B.) PART 4. Civil Services (Supplementary), 1919–1920.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
CIVIL SERVICES—*cont.*		
CLASS VII.—*cont.*		
For the salaries and expenses of the Scottish Board of Health, including expenses in respect of advances under the Housing Act, 1914, sundry contributions and grants in respect of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1918, certain grants in aid, and certain special services arising out of the war - - - -	10	—
UNCLASSIFIED SERVICES.		
For the salaries and expenses of the Ministry of Shipping - - - - - - - - -	100	19,499,900
For the salaries and expenses of the Department of Civil Demobilisation and Resettlement of the Ministry of Labour, including out-of-work donation and the contributions to the Unemployment Insurance Fund and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911, and the National Insurance (Part II.) (Munition Workers) Act, 1916, and grants for the training of demobilised officers - - - - - -	2,085,000	—
For the salaries and expenses of the Ministry of Transport, including sundry charges in connection with Transportation schemes under the Ministry of Transport Act, 1919 - - - -	181,061	5,000
For compensation to Canal Companies and Canal Carriers in the United Kingdom arising out of Government control, and for advances to Crinan and Caledonian Canals - - - -	200,000	—
For the cost of the Bread Subsidy - - - -	6,500,000	—
To meet the deficiency arising under the Coal Mines Control Agreement (Confirmation) Act, 1918, and the cost of carrying out the recommendations contained in the interim report of the Chairman of the Coal Industry Commission, dated 20th March 1919, and for kindred purposes - - - - - - - - -	5,802,000	—
For advances to British exporters - - - -	100,000	—
For such of the charges for war bonus, &c., as have not been otherwise provided - - - -	680,000	—
TOTAL CIVIL SERVICES - - £	20,862,116	21,669,390

SCHEDULE (B.)—PART 5.

SCHED. (B.) Part 5. Revenue Departments (Supplementary). 1919–1920.

REVENUE DEPARTMENTS (SUPPLEMENTARY), 1919–1920.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1920, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For the salaries and expenses of the Customs and Excise Department and certain special charges arising out of the war	1,115,000	170,000
For the salaries and expenses of the Post Office, including Telegraphs and Telephones	6,750,000	400,000
TOTAL REVENUE DEPARTMENTS £	7,865,000	570,000

SCHEDULE (B.)—PART 6.

SCHED. (B.) PART 6. Navy.

NAVY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz. :—

No.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For wages, &c., to 136,000 officers, seamen, and boys, coastguard, royal marines, and mercantile officers and men	21,459,000	78,000
2. For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad	7,864,300	2,605,119
3. For medical services, including the cost of medical establishments at home and abroad	677,300	15,194
4. For civilians employed on fleet services	504,500	515
5. For educational services	430,300	63,265
6. For scientific services	302,000	94,767
7. For the royal naval reserve, the royal fleet reserve, and the royal naval volunteer reserve, &c.	479,800	3,092

SCHED. (B.) PART 6. Navy.

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	10,184,000	25,500
,,	Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	8,499,000	9,036,000
,,	Sect. 3. For contract work for shipbuilding, repairs, &c.	9,958,700	100,000
9.	For naval armaments	6,260,000	67,934
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	5,209,000	36,000
11.	For various miscellaneous effective services	3,290,000	52,030
12.	For the Admiralty Office	1,554,000	3,755
13.	For half-pay and retired pay	2,452,000	20,384
14.	For naval and marine pensions, gratuities, and compassionate allowances	4,386,900	15,875
15.	For civil superannuation, compensation allowances, and gratuities	861,500	451
	TOTAL NAVY SERVICES £	84,372,300	12,217,881

SCHED. (B.) PART 7. Army.

SCHEDULE (B.)—PART 7.

ARMY.

SCHEDULE of estimated gross and net expenditure in respect of ARMY SERVICES in respect of the year ending on the 31st day of March 1921; and of the sums granted, and the sums which may be applied as appropriations in aid in addition thereto, to defray the charges which will come in course of payment during that year in respect of the said services, and of the liabilities outstanding on the first day of the said year :—

Heads.	Sums not exceeding: Gross. £	Receipts. £	Net. £
Head I.—Maintenance of Standing Army	69,781,630	1,300,000	68,481,630
Head II.—Territorial and Reserve Forces	12,541,000	11,000	12,530,000

SCHED. (B.) PART 7. Army.

Heads.	Sums not exceeding			
	Gross.	Receipts.	Net.	
	£	£	£	
Head III.—Cost of Educational, &c., Establishments, and Working Expenses of Hospitals, Depôts, &c. -	10,028,200	398,200	9,630,000	
Head IV.—War Office, Staff of Commands at Home and Colonial Garrisons, &c. - -	4,247,000	181,000	4,066,000	
Head V.—Capital Accounts - - -	3,679,100	4,633,200	*Cr. 954,100*	
Head VI.—Terminal and Miscellaneous Charges and Receipts - -	41,673,200	14,366,200	27,307,000	
Head VII.—Half Pay, Retired Pay, Pensions, and Civil Superannuation - - - - -	6,277,000	988,000	5,289,000	
GRAND TOTAL £	148,227,130	21,877,600	126,349,530	

	Supply Grants.	Appropriations in Aid.
	£	£
Estimated Cash required for Army Services in 1920–21 - - - - - -	125,000,000	—
Estimated Receipts to be appropriated in Aid of Army Services in 1920–21 - - - - - - - - -	- - -	24,750,000
ARMY (ORDNANCE FACTORIES).		
For the Ordnance Factories, the cost of the production of which will be charged to the Army, Navy, &c. - - - - - -	100	6,878,000

SCHED. (B.) PART 8. Air Force.

SCHEDULE (B.)—PART 8.

AIR FORCE.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the AIR FORCE SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz. :—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the pay, &c., of 29,730 of all ranks of the Air Force	4,661,000	70,000
2.	For the quartering, stores (except technical), supplies, and transport of the Air Force	2,005,000	200,000
3.	For the expense of technical and warlike stores	6,172,850	700,000
4.	For the works, buildings, repairs, and lands (including civilian staff), and other charges connected therewith	3,647,000	149,500
5.	For the expense of the Air Ministry	877,000	1,000
6.	For the miscellaneous effective services of the Air Force	110,000	1,000
7.	For the expense of rewards, half-pay, retired pay, widows' pensions, and other non-effective services	114,000	100
8.	For Civil Aviation	894,540	49,089
9.	For experimental and research services	2,575,540	602,000
	TOTAL AIR FORCE £	21,056,930	1,772,689

SCHED. (B.) PART 9. Civil Services. Class I.

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz. :—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For expenditure in respect of royal palaces, including a grant in aid	108,000	4,100
2.	For expenditure in respect of Osborne	21,075	365

SCHED. (B.) PART 9. Civil Services. Class I.

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
3.	For expenditure in respect of the royal parks and pleasure gardens	243,700	17,000
4.	For expenditure in respect of the Houses of Parliament buildings	146,100	345
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain	81,500	750
6.	For expenditure in respect of Art and Science buildings, Great Britain	225,500	1,080
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad	254,400	6,860
8.	For expenditure in respect of Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad	1,631,200	4,000
9.	For expenditure in respect of Employment Exchange, and insurance buildings, Great Britain (including Ministries of Labour and Health)	1,909,700	3,100
10.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes (including a supplementary sum of 315,000*l.*)	4,838,300	64,600
10A.	For expenditure in respect of the erection of a permanent replica of the Cenotaph in Whitehall	9,700	—
11.	For the expenses of survey of the United Kingdom, and for minor services connected therewith	300,625	75,600
12.	For the expenses of maintaining certain harbours under the Ministry of Transport, and for Grants for harbours, &c.	106,626	3,000
13.	For the expenses of constructing a new harbour of refuge at Peterhead	32,000	—
14.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade	1,818,600	221,016
15.	For expenditure in respect of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon, and sundry grants in aid	557,307	31,980
16.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Railways (Ireland) Act, 1896, the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish railways	59,054	—
	TOTAL CIVIL SERVICES, CLASS I. £	12,343,387	433,796

SCHED. (B.) PART 10. Civil Services. Class II.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz. :—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords	62,381	2,500
2.	For the salaries and expenses of the House of Commons	354,534	20,500
2A.	For the salaries and expenses of the Cabinet Offices	35,525	—
3.	For the salaries and other expenses in the department of His Majesty's Treasury and Subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896	313,960	9,909
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices	467,950	10,300
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs, including the Foreign Claims Office and News Department	201,052	108,291
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid and other expenses connected with Oversea Settlement	644,810	—
6A.	For a contribution towards the cost of the department of His Majesty's Secretary of State for India in Council, including a grant in aid	78,500	—
7.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council	14,894	4,000
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments, including certain Special Services arising out of the War, and a grant in aid	2,620,501	902,896
8A.	For the salaries and expenses of the Department of Overseas Trade	394,899	152,155

SCHED. (B.) PART 10. Civil Services. Class II.

No.	Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
	£	£
9. For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including Merchant Seamen's Fund Pensions and grants to the General Lighthouse Fund and other Lighthouse Authorities	418,840	189,235
10. For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Act, 1914	53,301	62,000
10A. For a grant in aid of the Forestry Fund	379,000	—
11. For the salaries and expenses of the Ministry of Agriculture and Fisheries, including grants for Agricultural Education and Training, a grant in aid of the Small Holdings Account, and certain other grants in aid; of the Agricultural Wages Board, and of the Royal Botanic Gardens, Kew, and expenditure in connection with the purchase of pickled herrings (including a supplementary sum of 1,195,000*l.*)	5,294,862	434,011
12. For the salaries and expenses of the Charity Commission for England and Wales	42,270	—
13. For the salaries and expenses of the Department of the Government Chemist	46,898	—
14. For the salaries and expenses of the Civil Service Commission	73,257	—
14A. For the salaries and expenses of the Civil Service Arbitration Board	3,819	—
15. For the salaries and expenses of the department of the Comptroller and Auditor General	137,400	3,222
16. For the salaries and expenses of the Registry of Friendly Societies	41,810	1,600
17. For the salaries and expenses of the department of the Government Actuary	36,549	—
18. For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England	322,786	1,710
19. For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals	10	216,400
20. For the salaries and expenses of the National Debt Office	21,430	6,102
21. For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments	37,850	—
22. For the salaries and expenses of the establishment under the Public Works Loan Commissioners	21	21,450

SCHED. (B.) PART 10. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
23.	For the salaries and expenses of the department of the Registrar General of Births, &c., including the expense of the Census of England and Wales, 1921	85,823	21,020
24.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates	4,844,104	925,000
25.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues	34,623	—
26.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings	477,500	—
26A.	For the salaries and expenses of the office of the Lord Privy Seal	6,600	—
27.	For His Majesty's foreign and other secret services (including a supplementary sum of 200,000*l.*)	400,000	—
28.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and Subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, expenses under the Private Legislation Procedure (Scotland) Act, 1899, expenses under the National Registration Acts, 1915 and 1918, and a subsidy for steamer services to the Hebrides	61,583	3,415
29.	For the salaries and expenses of the Board of Agriculture for Scotland, including grants for agricultural education and training, certain grants in aid and certain special services arising out of the war	430,499	55,940
30.	For the salaries and expenses of the Fishery Board for Scotland, including grants in aid of piers or quays and expenditure in connection with the purchase of pickled herrings (including a supplementary sum of 1,798,875*l.*)	1,848,404	78,137
31.	For the salaries and expenses of the General Board of Control for Scotland	57,007	500
32.	For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland, including the expenses of the Census of Scotland, 1921	14,453	1,200
33.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland	4,739	—

SCHED. (B.) PART 10. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
34.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London (including grants for the higher education of ex-officers, &c.), of the Irish Public Health Council and of the Inspectors of Lunatic Asylums, expenses under the Inebriates Acts, and certain allowances for disturbance (including a supplementary sum of 19,100*l.*)	208,120	291
35.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid and the expenses of the Agricultural Wages Board for Ireland and certain special services in connection with food production - - -	946,257	105,095
36.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland - - - - -	3,033	48
37.	For the Congested Districts Board for Ireland, including sundry grants in aid - - -	169,750	25,000
38.	For the salaries and expenses of the Public Record Office in Ireland, and of the Keeper of State Papers in Dublin - - - - -	12,337	—
39.	For the salaries and expenses of the Office of Public Works in Ireland - - - - -	71,784	1,500
40.	For the salaries and expenses of the department of the Registrar General of Births, &c., including the expenses of the Census of Ireland, 1921, and for the expenses of collecting emigration statistics in Ireland -	20,053	1,200
41.	For the salaries and expenses of the general valuation and boundary survey of Ireland, under the Acts 17 Vict. c. 17, 23 Vict. c. 4, and 37 and 38 Vict. c. 70, including Valuation under the Finance (1909–10) Act, 1910 -	54,439	8,700
	TOTAL CIVIL SERVICES, CLASS II. £	21,450,217	3,373,327

SCHED. (B.) PART II. Civil Services. Class III.

SCHEDULE (B.)—PART II.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers department, the salaries and expenses of the departments of His Majesty's Procurator-General, and of the Solicitor for the affairs of His Majesty's Treasury, and of the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency	290,991	25,355
2.	For certain miscellaneous legal expenses, for the salaries and expenses of Arbitrators, &c., under the Acquisition of Land (Assessment of Compensation) Act, 1919, and for grants in aid of the expenses of the incorporated Law Societies of England and Ireland	54,040	—
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund, and the salaries and expenses of Pensions Appeals Tribunals	512,714	65,060
4.	For the salaries and expenses of the office of Land Registry	89,292	—
5.	For the salaries and expenses of the office of Public Trustee	10	287,318
6.	For the salaries and expenses connected with the County Courts	359,145	190,000
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, War bonus to Metropolitan Police Magistrates, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and other Grants in respect of Police Expenditure, including places of detention and a grant in aid of the Police Federation	6,298,252	111
8.	For the expenses of the prisons in England and Wales, including a grant in aid of certain expenses connected with Discharged Prisoners	1,357,300	22,500

SCHED. (B.) PART II. Civil Services. Class III.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for the expense of the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in auxiliary homes in England and Wales	496,588	38,660
10.	For the expense of the maintenance of criminal lunatics in the Broadmoor Criminal Lunatic Asylum	64,631	1,090
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice and of Pensions Appeals Tribunals in Scotland	166,318	57,000
12.	For the salaries and expenses of the office of the Scottish Land Court	12,980	—
13.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh	69,651	—
13A.	For grants in respect of Police Expenditure and for a grant in aid of the Police Federation in Scotland	800,250	—
14.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, and the preparation of judicial statistics, and including a grant in aid of certain expenses connected with discharged prisoners	205,824	7,900
14A.	For the expense of the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools, and in auxiliary homes in Scotland, including the expenses of collection of parental contributions	150,220	5,000
15.	For the expenses of criminal prosecutions and other law charges in Ireland, including rewards for evidence and information, and a Grant in relief of certain expenses payable by statute out of local rates (including a supplementary sum of 11,545*l.*)	81,499	300
16.	For such of the salaries and expenses of the Supreme Court of Judicature, of the Registry of Deeds, and of Pensions Appeals Tribunals in Ireland as are not charged on the Consolidated Fund	182,759	2,325
17.	For the salaries and expenses of the office of the Irish Land Commission	1,118,763	43,900
18.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision	172,722	4,380

SCHED. (B.) PART II. Civil Services. Class III.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
19. For the salaries and expenses of the Commissioner of Police, the police courts and the metropolitan police establishment of Dublin	335,250	61,749
20. For the expenses of the Royal Irish Constabulary (including a supplementary sum of 1,268,361*l.*)	4,670,614	79,080
21. For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums	203,448	2,000
22. For the expenses of reformatory and industrial schools, including places of detention, in Ireland	146,951	3,000
23. For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	18,227	—
TOTAL CIVIL SERVICES, CLASS III. £	17,858,439	896,728

SCHED. (B.) PART 12. Civil Services. Class IV.

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid	45,755,567	8,925
2. For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid	294,233	13,925

SCHED. (B.) PART 12. Civil Services. Class IV.

No.	Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
	£	£
3. For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures	29,956	1,500
4. For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits	9,824	—
5. For the salaries and expenses of the Wallace Collection	15,953	250
6. For the salaries and expenses in respect of the London Museum, Lancaster House	5,412	—
7. For the salaries and expenses of the Imperial War Museum, including a grant in aid of purchases	50,000	3,000
8. For sundry grants in aid of scientific investigation, &c., and other grants	208,416	—
9. For the salaries and expenses of the Department of Scientific and Industrial Research, the Fuel Research Station, the Geological Museum, including a grant in aid, the Geological Survey of Great Britain, and the National Physical Laboratory	518,298	87,400
10. For grants in aid of the expenses of certain Universities, Colleges, Medical Schools, &c., in the United Kingdom, and of the expenses under the Welsh Intermediate Education Act, 1889	945,700	—
10A. For special grants in aid of certain Universities, Colleges, Medical Schools, &c., to assist them to re-establish their work on a basis of unimpaired efficiency	196,000	—
10B. For a grant in aid of the Serbian Relief Fund	25,000	—
11. For public education in Scotland, and for Science and Art in Scotland, including a grant in aid	6,877,220	—
12. For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid	11,661	—
13. For the expenses of the Commissioners of National Education in Ireland, including grants in aid of the Teachers Pension Fund, Ireland (including a supplementary sum of 557,290*l.*)	3,915,661	700
14. For intermediate education in Ireland, including the Teachers' Salaries Grant (including a supplementary sum of 50,000*l.*)	140,000	12
15. For the expenses of the office of the Commissioners for managing certain school endowments in Ireland	1,042	—
16. For the salaries and expenses of the National Gallery of Ireland	4,650	—

SCHED. (B.) PART 12. Civil Services. Class IV.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
17. For the salaries and expenses of the Institutions of Science and Art in Dublin, and of the Geological Survey of Ireland, and Annual Grants to Schools and Classes of Science and Art and Technical Instruction, including sundry Grants in Aid, administered by the Department of Agriculture and Technical Instruction for Ireland	211,415	3,120
18. For grants under the Irish Universities Act, 1908	86,000	—
TOTAL CIVIL SERVICES, CLASS IV. £	59,320,008	118,940

SCHED. (B.) PART 13. Civil Services. Class V.

SCHEDULE (B.)—PART 13.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote (including a supplementary sum of 37,000*l.*)	2,316,379	357,120
2. For sundry colonial services, including certain grants in aid (including a supplementary sum of 1,581,139*l.*)	2,815,238	—
3. For the subsidies to certain Telegraph Companies	15,300	—
4. For a grant in aid of the Revenue of the Island of Cyprus	50,000	—
TOTAL CIVIL SERVICES, CLASS V. £	5,196,917	357,120

SCHEDULE (B.)—PART 14.

SCHED. (B.) PART 14 Civil Services. Class VI.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances, gratuities, and supplementary pensions awarded by the Treasury; and for the salaries of medical referees	1,097,805	—
2.	For certain miscellaneous expenses, including certain charitable and other allowances, Great Britain	58,820	14,800
3.	For charges connected with hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid	16,738	—
4.	For the salaries and other expenses of Temporary Commissions, Committees, and Special Inquiries	110,000	—
5.	For making good certain sums written off from the assets of the Local Loans Fund	211	—
6.	For the Ireland Development Grant (Grant in Aid) and for other purposes of development and reconstruction in Ireland (including a supplementary sum of 165,000*l.*)	450,000	—
7.	For expenses under the Representation of the People Act, 1918	500,000	—
8.	For a grant in aid of the Development Fund	1,000,000	—
9.	For the expenses of setting up and maintaining certain organisations for supplying the necessities of life during an emergency	560,000	—
10.	For a grant in aid of the sum payable to the Representative Body of the Church in Wales by the Welsh Church Commission under the Welsh Church Acts, 1914 and 1919	1,000,000	—
11.	For a grant in aid of the mission of His Royal Highness the Prince of Wales to India and the Far East	27,500	—
12.	For repayment to the Civil Contingencies Fund of certain miscellaneous advances	31,028	—
	TOTAL CIVIL SERVICES, CLASS VI. £	4,852,102	14,800

SCHED. (B.) PART 15. Civil Services. Class VII.

SCHEDULE (B.)—PART 15.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For Old Age Pensions in the United Kingdom, for certain administrative expenses in connection therewith, and for certain special charges arising out of the war - - -	25,969,000	5,000
2.	For the salaries and expenses of the National Health Insurance Joint Committee, including sundry grants in aid - - -	402,330	—
3.	For the salaries and expenses of the Ministry of Health; including grants and other expenses in connection with Housing, grants to local authorities, &c., sundry contributions and grants in respect of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1920, certain grants in aid, and certain special services arising out of the war (including a supplementary sum of 10*l.*)	27,572,807	7,590,700
4.	For the salaries and expenses of the Scottish Board of Health, including grants and other expenses in connection with Housing, grants to local authorities, &c., sundry contributions and grants in respect of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1920, certain grants in aid, and certain special services arising out of the war (including a supplementary sum of 10*l.*) - - - - - - - - -	3,949,289	847,260
5.	For the salaries and expenses of the Local Government Board, Ireland, including grants and other expenses in connection with Housing, grants to local authorities, &c., sundry grants in aid, and the cost of certain special services arising out of the war	1,729,441	10,000
6.	For the salaries and expenses of the Insurance Commission (Ireland), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1919 (including certain grants in aid) - - - - - - - - -	442,380	—

SCHED. (B.) PART 15. Civil Services. Class VII.

No.	Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
7. For the salaries and expenses of the Ministry of Labour and Subordinate Departments, including the contribution to the Unemployment Insurance Fund, and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911, Out of Work Donation and expenditure in connection with the training of demobilised officers and non-commissioned officers and men, and the training of women; and grants for civil liabilities and re-instatement -	25,369,134	628,000
8. For the salaries and expenses of the audit staff under the National Insurance Act, 1911 - - - - - - - - -	169,450	—
9. For making good the deficiency on the Income Account of the Fund for Friendly Societies - - - - - - - - -	12,638	—
TOTAL CIVIL SERVICES, CLASS VII. - £	85,616,469	9,080,960

SCHEDULE (B.)—PART 16.

SCHED. (B.) PART 16. Unclassified Services.

UNCLASSIFIED SERVICES.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz.:—

No.	Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
1. For the salaries and expenses of the Ministry of Munitions - - - - - - -	19,003,000	12,297,000
2. For the expense of the Ordnance Factories, the cost of the production of which will be charged to the Ministry of Munitions - -	10	—
3. For the salaries and expenses of the Ministry of Pensions, and for sundry contributions in respect of the administration of the Ministry of Pensions Act, 1916 - - -	123,235,000	1,000
4. For the salaries and expenses of the Ministry of Food - - - - - - - -	1,243,350	10,000

SCHED. (B.) PART 16. Unclassified Services.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
5.	For the salaries and expenses of the Ministry of Shipping	16,279,525	5,240,000
6.	For the salaries and expenses of the Ministry of Transport, including sundry charges in connection with Transportation Schemes, &c., under the Ministry of Transport Act, 1919, and certain repayable advances under the Electricity (Supply) Act, 1919	1,348,642	57,100
7.	For the salaries and expenses of the National Savings Committee	106,190	—
8.	For the salaries and expenses of the Central Control Board (Liquor Traffic), including the cost of acquisition and direct control of licensed premises and businesses and the provision of canteens	305,230	—
9.	For the salaries of the Imperial War Graves Commission and a grant in aid of the Imperial War Graves Commission Fund formed under Royal Charter 10th May 1917	1,491,000	—
10.	For loans to the Governments of Allied Countries, and for loans and grants for purposes of reconstruction and relief	36,000,000	—
11.	For expenditure arising from the Government control of railways in Great Britain and Ireland under the Regulation of the Forces Act, 1871	23,000,000	750,000
12.	For expenditure in respect of refunds of excess cost of conveyance by coastwise transport over transport by rail and of Dock Congestion Relief	978,000	10,000
13.	For compensation to Canal Companies and Canal Carriers in the United Kingdom arising out of Government control, for advances to Canal Companies, for advances to Caledonian and Crinan Canals and for survey and development of inland navigation	1,470,000	—
14.	For a grant in aid of the cost of bread	45,000,000	—
15.	For expenses connected with the Treasury Securities Deposit Scheme	1,570,000	—
16.	For ex gratia grants in respect of losses and injuries sustained in the rebellion in Ireland	200,000	—
17.	For the cost of certain miscellaneous war services (including a supplementary sum of 2,167,200*l.*)	3,292,200	—
18.	To provide for the deficiency arising under the Coal Mines Control Agreement (Confirmation) Act, 1918, and for advances to the Coal Control Account	15,000,000	—

SCHED. (B.) PART 16. Unclassified Services

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
19. To provide for advances to British exporters	2,000,000	—
20. To meet such of the charges for War Bonus, &c., as have not been otherwise provided	9,500,000	—
21. For the British share of the advances to be made in respect of German coal deliveries	100	4,999,900
TOTAL - - - £	301,022,247	23,365,000

SCHEDULE (B).—PART 17.

SCHED. (B.) PART 17. Revenue Departments, &c.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1921; viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the Customs and Excise Department and certain special charges arising out of the war - - - -	4,684,371	184,400
2. For the salaries and expenses of the Inland Revenue Department - - - - -	5,784,080	10,000
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones (including a supplementary sum of 1,627,000*l.*) - - - - - - - -	51,315,622	1,001,249
TOTAL REVENUE DEPARTMENTS £	61,784,073	1,195,649

SCHED. (C.) Navy Services. Section 6.

SCHEDULE (C.)

Number of Vote.	NAVY SERVICES, 1918–19. VOTES.	Actual Receipts compared with Estimated Appropriations in Aid.	
		Surpluses.	Deficits.
		£ s. d.	£ s. d.
1	Wages, &c., of Officers, Seamen, and Boys, Coast-guard, and Royal Marines	—	16,829,138 1 4
2 to 15	Other Navy Votes	21,780,898 17 1	—
		21,780,898 17 1	16,829,138 1 4
	Surplus	£4,951,760 15 9	
	Deduct Surplus Appropriations in Aid not appropriated by Parliament	10 0 0	
		£4,951,750 15 9	

Army Services.

Number of Vote.	ARMY SERVICES, 1918–19. VOTES.	Actual Receipts compared with Estimated Appropriations in Aid.	
		Surpluses.	Deficits.
		£ s. d.	£ s. d.
1	Pay, &c., of the Army	—	93,922,164 17 7
3	Special Reserve	—	99 18 9
15	Civil Superannuation, Compensation, and Gratuities	—	47 0 0
2 and 4 to 14.	Other Army Votes	83,195,273 18 7	—
		83,195,273 18 7	93,922,311 16 4
	Deficiency	£10,727,037 17 9	

SCHED. (C.) Air Services. Section 6.

Number of Vote.	AIR SERVICES, 1918-19. VOTES.	Actual Receipts compared with Estimated Appropriations in Aid.	
		Surpluses.	Deficits.
		£ s. d.	£ s. d.
5	Air Ministry - - - -	—	94 15 2
7	Half-Pay, Pensions, and other Non-Effective Services - - - - -	—	100 0 0
1 to 4 and 6.	Other Air Force Votes -	1,031,133 10 4	—
		1,031,133 10 4	194 15 2
	Surplus -	£1,030,938 15 2	

CHAPTER 33.

An Act to facilitate the enforcement in England and Ireland of Maintenance Orders made in other parts of His Majesty's Dominions and Protectorates and vice versâ. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enforcement in England and Ireland of maintenance orders made in His Majesty's dominions outside the United Kingdom.

1.—(1) Where a maintenance order has, whether before or after the passing of this Act, been made against any person by any court in any part of His Majesty's dominions outside the United Kingdom to which this Act extends, and a certified copy of the order has been transmitted by the governor of that part of His Majesty's dominions to the Secretary of State, the Secretary of State shall send a copy of the order to the prescribed officer of a court in England or Ireland for registration; and on receipt thereof the order shall be registered in the prescribed manner, and shall, from the date of such registration, be of the same force and effect, and, subject to the provisions of this Act, all proceedings may be taken on such order as if it had been an order originally obtained in the court in which it is so registered, and that court shall have power to enforce the order accordingly.

(2) The court in which an order is to be so registered as aforesaid shall, if the court by which the order was made was a court of superior jurisdiction, be the Probate, Divorce and Admiralty Division of the High Court, or in Ireland the King's Bench Division (Matrimonial) of the High Court of Justice in

Ireland, and, if the court was not a court of superior jurisdiction, be a court of summary jurisdiction.

Transmission of maintenance orders made in England or Ireland.

2. Where a court in England or Ireland has, whether before or after the commencement of this Act, made a maintenance order against any person, and it is proved to that court that the person against whom the order was made is resident in some part of His Majesty's dominions outside the United Kingdom to which this Act extends, the court shall send to the Secretary of State for transmission to the governor of that part of His Majesty's dominions a certified copy of the order.

Power to make provisional orders of maintenance against persons resident in His Majesty's dominions outside the United Kingdom.

3.—(1) Where an application is made to a court of summary jurisdiction in England or Ireland for a maintenance order against any person, and it is proved that that person is resident in a part of His Majesty's dominions outside the United Kingdom to which this Act extends, the court may, in the absence of that person, if after hearing the evidence it is satisfied of the justice of the application, make any such order as it might have made if a summons had been duly served on that person and he had failed to appear at the hearing, but in such case the order shall be provisional only, and shall have no effect unless and until confirmed by a competent court in such part of His Majesty's dominions as aforesaid.

(2) The evidence of any witness who is examined on any such application shall be put into writing, and such deposition shall be read over to and signed by him.

(3) Where such an order is made, the court shall send to the Secretary of State for transmission to the governor of the part of His Majesty's dominions in which the person against whom the order is made is alleged to reside the depositions so taken and a certified copy of the order, together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with a summons and had appeared at the hearing, and such information as the court possesses for facilitating the identification of that person, and ascertaining his whereabouts.

(4) Where any such provisional order has come before a court in a part of His Majesty's dominions outside the United Kingdom to which this Act extends for confirmation, and the order has by that court been remitted to the court of summary jurisdiction which made the order for the purpose of taking further evidence, that court or any other court of summary jurisdiction sitting and acting for the same place shall, after giving the prescribed notice, proceed to take the evidence in like manner and subject to the like conditions as the evidence in support of the original application.

If upon the hearing of such evidence it appears to the court that the order ought not to have been made, the court may rescind the order, but in any other case the depositions shall be sent to the Secretary of State and dealt with in like manner as the original depositions.

(5) The confirmation of an order made under this section shall not affect any power of a court of summary jurisdiction to vary or rescind that order: Provided that on the making of a varying or rescinding order the court shall send a certified copy thereof to the Secretary of State for transmission to the governor of the part of His Majesty's dominions in which the original order was confirmed, and that in the case of an order varying the original order the order shall not have any effect unless and until confirmed in like manner as the original order.

(6) The applicant shall have the same right of appeal, if any, against a refusal to make a provisional order as he would have had against a refusal to make the order had a summons been duly served on the person against whom the order is sought to be made.

Power of court of summary jurisdiction to confirm maintenance order made out of the United Kingdom.

4.—(1) Where a maintenance order has been made by a court in a part of His Majesty's dominions outside the United Kingdom to which this Act extends, and the order is provisional only and has no effect unless and until confirmed by a court of summary jurisdiction in England or Ireland, and a certified copy of the order, together with the depositions of witnesses and a statement of the grounds on which the order might have been opposed has been transmitted to the Secretary of State, and it appears to the Secretary of State that the person against whom the order was made is resident in England or Ireland, the Secretary of State may send the said documents to the prescribed officer of a court of summary jurisdiction, with a requisition that a summons be issued calling upon the person to show cause why that order should not be confirmed, and upon receipt of such documents and requisition the court shall issue such a summons and cause it to be served upon such person.

(2) A summons so issued may be served in England or Ireland in the same manner as if it had been originally issued or subsequently endorsed by a court of summary jurisdiction having jurisdiction in the place where the person happens to be.

(3) At the hearing it shall be open to the person on whom the summons was served to raise any defence which he might have raised in the original proceedings had he been a party thereto, but no other defence, and the certificate from the court which made the provisional order stating the grounds on which the making of the order might have been opposed if the person against whom the order was made had been a party to the proceedings shall be conclusive evidence that those grounds are grounds on which objection may be taken.

(4) If at the hearing the person served with the summons does not appear or, on appearing, fails to satisfy the court that the order ought not to be confirmed, the court may confirm the order either without modification or with such modifications as to the court after hearing the evidence may seem just.

(5) If the person against whom the summons was issued appears at the hearing and satisfies the court that for the purpose of any defence it is necessary to remit the case to the court which made the provisional order for the taking of any further evidence, the court may so remit the case and adjourn the proceedings for the purpose.

(6) Where a provisional order has been confirmed under this section, it may be varied or rescinded in like manner as if it had originally been made by the confirming court, and where on an application for rescission or variation the court is satisfied that it is necessary to remit the case to the court which made the order for the purpose of taking any further evidence, the court may so remit the case and adjourn the proceedings for the purpose.

(7) Where an order has been so confirmed, the person bound thereby shall have the same right of appeal, if any, against the confirmation of the order as he would have had against the making of the order had the order been an order made by the court confirming the order.

Power of Secretary of State to make regulations for facilitating communications between courts.

5. The Secretary of State may make regulations as to the manner in which a case can be remitted by a court authorised to confirm a provisional order to the court which made the provisional order, and generally for facilitating communications between such courts.

Mode of enforcing orders.

6.—(1) A court of summary jurisdiction in which an order has been registered under this Act or by which an order has been confirmed under this Act, and the officers of such court, shall take all such steps for enforcing the order as may be prescribed.

(2) Every such order shall be enforceable in like manner as if the order were for the payment of a civil debt recoverable summarily:

Provided that, if the order is of such a nature that if made by the court in which it is so registered, or by which it is so confirmed, it would be enforceable in like manner as an order of affiliation, the order shall be so enforceable.

(3) A warrant of distress or commitment issued by a court of summary jurisdiction for the purpose of enforcing any order so registered or confirmed may be executed in any part of the United Kingdom in the same manner as if the warrant had been originally issued or subsequently endorsed by a court of summary jurisdiction having jurisdiction in the place where the warrant is executed.

Application of Summary Jurisdiction Acts.

7. The Summary Jurisdiction Acts shall apply to proceedings before courts of summary jurisdiction under this Act in like manner as they apply to proceedings under those Acts, and the power of the Lord Chancellor to make rules under section twenty-nine of the Summary Jurisdiction Act, 1879, shall include power to make rules regulating the procedure of courts of summary jurisdiction under this Act.

42 & 43 Vict. c. 49.

Proof of documents signed by officers of court.

8. Any document purporting to be signed by a judge or officer of a court outside the United Kingdom shall, until the contrary is proved, be deemed to have been so signed without proof of the signature or judicial or official character of the person appearing to have signed it, and the officer of a court by whom a document is signed shall, until the contrary is proved, be deemed to have been the proper officer of the court to sign the document.

Depositions to be evidence.

9. Depositions taken in a court in a part of His Majesty's dominions outside the United Kingdom to which this Act extends for the purposes of this Act, may be received in evidence in proceedings before courts of summary jurisdiction under this Act.

Interpretation.

10. For the purposes of this Act, the expression "maintenance order" means an order other than an order of affiliation for the periodical payment of sums of money towards the maintenance of the wife or other dependants of the person against whom the order is made, and the expression "dependants" means such persons as that person is, according to the law in force in the part of His Majesty's dominions in which the maintenance order was made, liable to maintain; the expression "certified copy" in relation to an order of a court means a copy of the order certified by the proper officer of the court to be a true copy, and the expression "prescribed" means prescribed by rules of court.

Application to Ireland.

11. In the application of this Act to Ireland the following modifications shall be made:—

(*a*) The Lord Chancellor of Ireland may make rules regulating the procedure of courts of summary jurisdiction under this Act, and other matters incidental thereto:

(*b*) Orders intended to be registered or confirmed in Ireland shall be transmitted by the Secretary of State to the prescribed officer of a court in Ireland through the Lord Chancellor of Ireland:

(*c*) The expression "maintenance order" includes an order or decree for the recovery or repayment of the cost of relief or maintenance made by virtue of the provisions of the Poor Relief (Ireland) Acts, 1839 to 1914.

Extent of Act.

12.—(1) Where His Majesty is satisfied that reciprocal provisions have been made by the legislature of any part of His Majesty's dominions outside the United Kingdom for the enforcement within that part of maintenance orders made by courts within England and Ireland, His Majesty may by Order in Council extend this Act to that part, and thereupon that part shall become a part of His Majesty's dominions to which this Act extends.

(2) His Majesty may by Order in Council extend this Act to any British protectorate, and where so extended this Act shall apply as if any such protectorate was a part of His Majesty's dominions to which this Act extends.

Short title.

13. This Act may be cited as the Maintenance Orders (Facilities for Enforcement) Act, 1920.

CHAPTER 34.

An Act to amend the Law relating to the payment of Duplicands of Feu-duties in Scotland.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the Duplicands of Feu-duties (Scotland) Act, 1920.

Construction. 4 & 5 Geo. 5. c. 48.

2. This Act shall be read and construed as if it formed part of the Feudal Casualties (Scotland) Act, 1914.

Interpretation of "duplication of feu-duty."

3. Where under any feu provision has been made for payment of a duplication of the feu-duty on the entry of an heir or singular successor, or on any periodical occasion, such payment shall, unless in the feu right it is otherwise declared to the contrary, be deemed to be the amount of one year's feu-duty only over and above the feu-duty for the year.

Duplicands to include feu-duty of the year.

4. From and after the commencement of this Act, where under any feu it is provided that on the entry of an heir or singular successor, or on any specified periodical occasion, payment shall be made of a duplicand or double of the feu-duty, or that the feu-duty shall be doubled, such payment, whether or not it is provided to be made at the same term or terms as the feu-duty, shall be deemed to be inclusive of the feu-duty for the year, and the amount of the casualty payable to the superior shall, for the purposes of the Feudal Casualties (Scotland) Act, 1914, and for all other purposes, be deemed to be the amount

of one year's feu-duty only, unless such payment is expressed to be over and above such feu-duty or is otherwise unequivocally declared not to include the feu-duty of the year.

Special case.

5. Where under any feu provision is made as aforesaid for payment of a duplicand or double of the feu-duty, and where the superior, whether prior to or after the commencement of this Act, shall have, in claiming or in settlement of payment of any such duplicand or double, claimed or accepted payment of one year's feu-duty only over and above the feu-duty for the year, the amount of the casualty payable to the superior shall, for the purposes of the Feudal Casualties (Scotland) Act, 1914, and for all other purposes, be deemed to be the amount of one year's feu-duty only, and that whether such duplicand or double is or is not expressed to be over and above the feu-duty or otherwise unequivocally declared not to include the feu-duty for the year.

CHAPTER 35.

An Act to make further provision with respect to the time for the counting of Votes at Parliamentary Elections, and to amend the Law with respect to the right of voting by proxy; and for purposes connected therewith. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Time for counting votes at parliamentary elections. 8 Geo. 5. c. 64. 8 & 9 Geo. 5. c. 50.

1. Subsection (3) of section twenty-three of the Representation of the People Act, 1918 (hereinafter referred to as the principal Act), and section one of the Representation of the People (Amendment) Act, 1918 (which enable provision to be made temporarily for counting the votes at certain elections at a time after the close of the poll to be fixed by Order in Council), shall cease to have effect.

Extension of right to vote by proxy.

2.—(1) Section twenty-three of the principal Act shall have effect as though the following subsection were substituted for subsection (4) thereof :—

"(4) Any person whose name is entered on the absent voters list, and who makes a statement in the prescribed form that there is a probability that he will at the time of a parliamentary election be at sea or out of the United Kingdom, and satisfies the registration officer as to the bonâ fides of such statement, shall be entitled if he so desires to

appoint a proxy, and having appointed a proxy to vote by proxy in accordance with and subject to the provisions of this Act.

"No ballot paper shall be sent for the purpose of voting by post to a person who has appointed a proxy under this provision while the appointment is in force, or to any person unless the address of that person recorded by the registration officer is an address in the United Kingdom.

"The provisions set out in the Third Schedule to this Act shall have effect with respect to voting by proxy."

(2) The Third Schedule to the principal Act shall have effect as though the following paragraph were substituted for paragraph 4 :—

"4. A proxy paper, unless cancelled, shall remain in force so long as the elector continues to be registered in respect of the same qualification, and to be on the absent voters list."

(3) Any proxy paper in force at the date of the commencement of this Act shall continue in force as though it had been issued under the principal Act as amended by this Act.

Day of poll at by-elections.

3. In the case of a parliamentary by-election—

(*a*) the day fixed for nomination in boroughs shall not be later than the seventh day after the returning officer receives the writ, with an interval of not less than two clear days between the day on which the returning officer gives the notice and the day of nomination; and

(*b*) the poll shall take place on such day as the returning officer may appoint, not being less than six or more than eight clear days after the date fixed for nomination;

35 & 36 Vict. c. 33.

and the First Schedule to the Ballot Act, 1872, and subsection (1) of section twenty-one of the principal Act shall be modified accordingly.

Short title and commencement.

4.—(1) This Act may be cited as the Representation of the People (No. 2) Act, 1920, and shall be included among the Acts which may be cited as the Representation of the People Acts, 1918 to 1920.

(2) This Act shall come into operation at the expiration of two months from the passing thereof, but where at the date on which this Act comes into operation a writ has been issued in respect of any election, this Act shall not apply to that election.

CHAPTER 36.

An Act to authorise the Increase of certain Pensions.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to increase certain pensions

1.—(1) The pensions payable to pensioners to whom this section applies, and in whose case the conditions laid down by this Act (in this Act referred to as statutory conditions) are fulfilled, may, so long as those conditions continue to be fulfilled, be increased by the pension authority by an amount not exceeding the limits laid down in the Schedule to this Act.

(2) The pensioners to whom this section applies are pensioners who at the date of the passing of this Act are in receipt of pensions granted before the fourth day of August nineteen hundred and fourteen, and, subject to the limitations laid down in Part II. of the Schedule to this Act, pensions granted on and after that date—

(*a*) under the Superannuation Acts, 1834 to 1914;

(*b*) under the Elementary School Teachers' (Superannuation) Acts, 1898 to 1912, or under the code of regulations for public elementary schools, or under the Education (Scotland) Act, 1908; 8 Edw. 7. c. 63.

(*c*) under the National School Teachers' (Ireland) Act, 1879; 42 & 43 Vict. c. 74.

(*d*) under the enactments relating to the pay and pensions of the Royal Irish Constabulary and the Dublin Metropolitan Police.

(3) The increase shall have effect as from the first day of April nineteen hundred and twenty.

Statutory conditions for increase of pension.

2. The statutory conditions for the increase of pensions under this Act are :—

(1) The pensioner must reside in the British Islands;

(2) The pensioner must have attained the age of sixty years, or have retired on account of physical or mental infirmity, or, in the case of a pensioner who is a widow and is in receipt of a pension payable in respect of the services of her deceased husband, must have attained the age of forty years;

(3) The pensioner must satisfy the pension authority that his means, including his pension, are less than one hundred and fifty pounds a year, if unmarried, or two hundred pounds a year, if married.

Application to pensioners of police, local, and public authorities.

3. The Treasury after consultation with the appropriate Government department may, by order, authorise the application of the foregoing provisions of this Act, including the Schedule therein referred to, to pensioners in receipt of pensions granted by any police, local, or other public authority, and thereupon such police, local, or other public authority shall apply such provision to pensions granted by them.

Regulations.

4. The Treasury may make regulations for carrying this Act into effect and in particular—

(*a*) for prescribing the evidence required as to the fulfilment of the statutory conditions and for defining the meaning of residence for the purposes of this Act; and

(*b*) for prescribing the manner in which claims for increases of pensions may be made and the procedure to be followed for the consideration and determination of claims; and

(*c*) for prescribing the manner in which the means of a person are to be calculated for the purposes of this Act:

Provided that, in making regulations affecting pensioners in receipt of pensions from police, local, or other public authorities, the Treasury shall act in consultation with the appropriate Government department.

Penalty for false statements, &c.

5. If for the purpose of obtaining or continuing an increase of pension—

(*a*) under this Act; or

(*b*) under any Order in Council or Royal Warrant providing for the grant of corresponding benefits to naval or military pensioners,

either for himself or for any other person, or for the purpose of obtaining or continuing such increase at a higher rate than that appropriate to the case, any person knowingly makes a false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months and, in the case of a pensioner, to forfeit any pension or increase of pension payable to him.

Provisions as to special Greenwich Hospital pensions. 32 & 33 Vict. c. 44. 61 & 62 Vict. c. 21.

6. Any increase in a pension granted under any Order in Council for the grant of such corresponding benefits as aforesaid to naval or military pensioners shall not be taken into account in determining the amount of, or eligibility for, a special Greenwich Hospital pension under section five of the Greenwich Hospital Act, 1869, as amended by section four of the Greenwich Hospital Act, 1898.

Interpretation.

7.—(1) For the purposes of this Act—

The expression "pension authority" means the Treasury or other authority by whom a pension is granted.

The expression "married person" includes a widower or widow with one or more children under sixteen years of age dependent on him or her, and the expression "unmarried person" includes a widower or widow having no such children.

The expression "means" in the case of a married person includes the means of both husband and wife.

The expression "naval or military pensioner" means a person formerly in the naval or military service of the Crown who is in receipt of a pension in respect of such service, or the widow of such a person who is in receipt of a pension in respect of the naval or military service of her deceased husband.

The expression "prescribed" means prescribed by regulations under this Act.

(2) This Act shall not apply to any pension or part of a pension which has been commuted.

8. This Act may be cited as the Pensions (Increase) Act, 1920. Short title.

SCHEDULE.

Sections 1 and 3.

PART I.

LIMITATIONS ON THE AMOUNT OF INCREASE OF PENSIONS.

1. Where the existing pension does not exceed 50*l*. a year -	it may be increased by 50 per cent.
Where the existing pension exceeds 50*l*. a year, but does not exceed 100*l*. a year in the case of an unmarried person or 130*l*. a year in the case of a married person - - - - - -	it may be increased by 40 per cent.
Where the existing pension exceeds 100*l*. a year, but is less than 150*l*. a year in the case of an unmarried person, or exceeds 130*l*. a year, but is less than 200*l*. a year in the case of a married person - - -	it may be increased by 30 per cent.

Provided that—

(i) if the amount to which a pension may be increased under the above scale is less than the amount to which a smaller pension might be increased, it may be increased to the latter amount;

(ii) no pension shall be increased by an amount greater than is sufficient to bring the total means of the pensioner, including the increased pension up to 150*l.* a year in the case of an unmarried person, or 200*l.* a year in the case of a married person.

2. Where a pensioner is in receipt of two pensions to which section one of this Act applies or of one such pension and of a pension as a naval or military pensioner, such pensions shall, for the purposes of the above scale, be treated as one pension of an amount equal to the aggregate amount of the two pensions.

3. Where before the passing of this Act a pension has, since the grant thereof, been increased, the increase authorised under this Act shall be calculated on the original amount of the pension, and the amount by which it may be increased under this Act shall be reduced by the amount of the increase so previously granted.

PART II.

ADDITIONAL LIMITATION ON INCREASE OF PENSIONS GRANTED AFTER THE 4TH DAY OF AUGUST 1914.

3. Where an existing pension granted on or after the 4th day of August 1914, is larger than a pre-war pension by reason of an improvement in the pension scale or an increase in the pensionable emoluments made since that date, the pension shall not be increased under this Act by an amount greater than is sufficient to make the increased pension equal to the amount to which the pre-war pension might have been increased under Part I. of this Schedule.

CHAPTER 37.

An Act to provide for raising further Money for the purpose of the Telegraph Acts, 1863 to 1916, and to amend section four of the Telegraph (Money) Act, 1876. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Grant for purposes of Telegraph Acts.

1.—(1) The Treasury may, with a view to the development of the telephonic system in the United Kingdom, without prejudice to the exercise of any powers previously given for the like purpose, issue out of the Consolidated Fund, or the growing produce thereof, such sums not exceeding in the whole the sum of ten million pounds, as may be required by the Postmaster-General for the purpose of developing the telephonic system according to estimates approved by the Treasury.

(2) The Treasury may, if they think fit, for the purpose of providing money for sums so authorised to be issued out of the Consolidated Fund, or for repaying to that fund all or any part of the sums so issued, borrow by means of terminable annuities for a term not exceeding twenty years, and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament for the service of the Post Office, and, if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(4) The Treasury may also, if they think fit, for the same purpose borrow money by means of the issue of Exchequer bonds, and the Capital Expenditure (Money) Act, 1904, shall have effect as if this Act had been in force at the time of the passing of that Act. 4 Edw. 7. c. 21.

(5) Section five of the Telephone Transfer Act, 1911 (which relates to audit), shall have effect as if this Act were included amongst the Acts therein mentioned. 1 & 2 Geo. 5. c. 26.

Annual statements as to capital charges as to telegraph and telephone services.

2.—(1) There shall be laid before both Houses of Parliament on or before the thirtieth day of November in every year, if Parliament is then sitting, or if Parliament is not then sitting, within one week after the then next meeting of Parliament—

(*a*) Statements showing as regards the telegraph service and the telephone service respectively the amount expended during the previous financial year on account of the annual charge in respect of any securities or terminable annuities created under the Telegraph Acts, 1868 to 1916, and any Acts amending those Acts, for the purpose of the service; and

(*b*) Statements of account in a form approved by the Treasury, showing as regards the telegraph and telephone services respectively the income and expenditure during the previous financial year.

(2) An amount equal to any surplus shown on the statement of account made out in any year with respect to the telegraph service shall, in accordance with directions to be given by the Treasury, be issued out of the Consolidated Fund or the growing produce thereof to the National Debt Commissioners to be applied in the reduction of debt up to an amount equal to that created for the purpose of the telegraph service.

(3) The first statements under this section shall be made out with respect to the annual charges and the income and expenditure for the year ending on the thirty-first day of March, nineteen hundred and twenty.

(4) In this section the expression "the telegraph service" means the telegraph service exclusive of the telephone service.

(5) The foregoing provisions of this section shall be in substitution for the provisions of section four of the Telegraph (Money) Act, 1876.

39 & 40 Vict. c. 5.

Short title.

3. This Act may be cited as the Telegraph (Money) Act, 1920, and may be cited with the Telegraph Acts, 1863 to 1916.

CHAPTER 38.

An Act to amend the Law relating to the Salaries and Allowances of Resident Magistrates in Ireland.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power of Lord Lieutenant to prescribe the salaries and allowances of resident magistrates.

1.—(1) The Lord Lieutenant may, by order made with the concurrence of the Treasury, prescribe the rates and scales of salaries and allowances to be paid to resident magistrates and the conditions applicable thereto, and, subject to the provisions of the order, any rates, scales, and conditions thereby prescribed shall have effect as from the date therein specified instead of the rates, scales, and conditions prescribed by or in pursuance of the Resident Magistrates and Police Commissioners Salaries Act, 1874, or any other Act, or by any previous order under this section or otherwise.

37 & 38 Vict. c. 23.

(2) An order made under this section shall have effect as if enacted in this Act, but may be revoked or varied by any subsequent order so made.

(3) The salaries and allowances payable in pursuance of any such order shall (except where and so far as the order may otherwise direct) be paid out of moneys provided by Parliament.

(4) A resident magistrate retiring within three years from the date when the first order made under this section after the passing of this Act comes into operation shall be treated for the purposes of section twelve of the Superannuation Act, 1834, as if he had been in the class from which he retires for a period of three years, notwithstanding that he may have been promoted within that period.

4 & 5 Will. 4. c. 24.

Belfast resident magistrates.

2. The powers of the Lord Lieutenant under this Act shall not be exercised as respects the salaries payable by the corporation of the city of Belfast to the resident magistrates for that city under the Resident Magistrates (Belfast) Act, 1911, except with the concurrence of the corporation.

1 & 2 Geo. 5. c. 58.

Interpretation, short title, and extent. 6 & 7 Will. 4. c. 13.

3.—(1) In this Act the expression "resident magistrate" means a magistrate appointed under the Constabulary (Ireland) Act, 1836.

(2) This Act may be cited as the Resident Magistrates (Ireland) Act, 1920, and shall apply to Ireland only.

CHAPTER 39.

An Act to provide for, the extension to Scotland of Part IV. of the Merchant Shipping Act, 1894.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this Present Parliament assembled, and by the authority of the same, as follows :

Application to Scotland of Part IV. of 57 & 58 Vict. c. 60.

1.—(1) The provisions of Part IV. of the Merchant Shipping Act, 1894 (hereinafter referred to as the principal Act), in so far as those provisions do not at the passing of this Act apply to Scotland, shall, subject to the modifications contained in subsection (2) of this section, apply to Scotland, and accordingly references in those provisions to ports in England or Ireland shall be construed as references to ports in the United Kingdom.

(2) (*a*) In the application of the aforesaid provisions to Scotland the Edinburgh Gazette shall be substituted for the London Gazette, "burgh" shall be substituted for "borough," and "parish council" shall be substituted for "board of guardians."

(*b*) A decision by a superintendent under section three hundred and eighty-seven of the principal Act may be enforced in like manner as an order made on summary proceedings.

(*c*) An order under section three hundred and sixty-nine of the principal Act shall, in so far as it affects Scotland, be subject to the consent of the Secretary for Scotland.

(3) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Short title and commencement.

2. This Act may be cited as the Merchant Shipping (Scottish Fishing Boats) Act, 1920; and this Act and the Merchant Shipping Acts, 1894 to 1914, may be cited together as the Merchant Shipping Acts, 1894 to 1920.

(2) This Act shall come into operation on the first day of October nineteen hundred and twenty.

Section 1.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
57 & 58 Vict. c. 60.	The Merchant Shipping Act, 1894.	In subsection one of section two hundred and sixty-three the words "with respect to Scotland or." In subsection two of section two hundred and sixty-three the words "subject as in "this section mentioned with respect to "Scotland." Subsection three of section two hundred and sixty-three. In section three hundred and seventy-two the words "to Scotland or." Section three hundred and eighty-nine. In section four hundred and eighty-six the words "in their application elsewhere than in Scotland." In subsection (3) of section six hundred and ninety the words "except in Scotland."

CHAPTER 40.

An Act to amend the Law with respect to the statutory limits on Postal and Telegraph Rates, and with respect to the remuneration to be paid to railway companies for the conveyance of Postal Parcels, and otherwise to amend the Post Office Acts, 1908 to 1915. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Repeal of statutory limits of postage rates for inland post-

1.—(1) Paragraphs (i) and (ii) of proviso (*b*) of subsection (1) of section two of the Post Office Act, 1908, as amended by the Post Office Act, 1918 (which limit the rates of prepaid postage which may be fixed by the Treasury for inland postcards and printed packets), shall cease to have effect.

(2) The expression "printed packet" has in this Act the same meaning as the expression "book packet" in the Post Office Acts, 1908 to 1915, and shall be substituted for that expression wherever that expression occurs in those Acts. cards and printed packets. 8 Edw. 7. c. 48. 8 & 9 Geo. 5. c. 10.

2.—(1) A maximum rate of one shilling for the first twelve words of each ordinary written telegram or for an ordinary written telegram of less than twelve words, and one penny for each additional word over twelve words, shall be substituted for the maximum rates specified in section two of the Telegraph Act, 1885, as amended by paragraph (*b*) of section one of the Post Office and Telegraph Act, 1915, and the Postmaster-General with the consent of the Treasury may direct that an additional sum of sixpence shall be charged in respect of telegrams handed in for transmission on Christmas Day, Good Friday, or Sunday. Variation of statutory limits on rates for telegrams and inland registered newspapers. 48 & 49 Vict. c. 58. 5 & 6 Geo. 5. c. 82.

(2) A maximum rate of one penny up to the first six ounces and an additional halfpenny for every six ounces or fractional part of six ounces over and above the first or any additional six ounces up to such maximum weight as may be fixed by the Postmaster-General shall be substituted for the maximum rate for each inland registered newspaper under paragraph (iii) of proviso (*b*) of subsection (1) of section two of the Post Office Act, 1908, as amended by paragraph (*a*) of section one of the Post Office and Telegraph Act, 1915.

(3) Any contract for the supply or delivery to subscribers of any publications at rates including postage being publications the rate of postage on which is increased after the passing of this Act and before the first day of January, nineteen hundred and twenty-one, may, as respects the supply or delivery of those publications, be determined by any party to the contract as from the date on which the rate is raised by notice given to the other party to the contract not later than fourteen days after the increase of rate takes effect.

3.—(1) In order to ascertain for the purposes of the Post Office (Parcels) Act, 1882, the gross receipts of the Postmaster-General from parcels conveyed by railway, the Postmaster-General shall in every year cause returns, comprising such particulars as may be agreed between the Postmaster-General and the London Railway Clearing Committee to be necessary for the purposes of this section, to be obtained with respect to the parcels so conveyed during such period in the year or during such periods in different parts of the year as may be so agreed, and such returns shall, so far as may be agreed between the Postmaster-General and the said committee, be in substitution for, or in modification of, the accounts which the Postmaster-General is required to render under subsection (1) of section five of the Post Office (Parcels) Act, 1882. Amendment of 45 & 46 Vict. c. 74.

In the case of any such agreement the amount to be paid to the railway companies through the London Railway Clearing Committee shall, instead of being an amount determined in manner provided by subsection (1) of section five of the Post Office (Parcels) Act, 1882, be such amount as may be agreed upon between the Postmaster-General and the said committee on the basis of the returns, and nothing in that Act shall require the Postmaster-General to keep accounts showing the number of parcels actually conveyed by railway during any period, except in so far as may be necessary for the purposes of the returns herein provided for.

(2) The Postmaster-General shall afford to the secretary of the London Railway Clearing Committee a reasonable opportunity of inspecting any returns obtained under this section.

(3) The amount of the railway remuneration payable in respect of any year shall be paid to the London Railway Clearing Committee in four quarterly instalments.

(4) The words "and may pay the same out of the moneys "for the time being to the credit of the Postmaster-General "at the Bank of England, but such payments shall be charged "in the accounts of the Post Office to the gross receipts "in respect of parcels" in subsection (1) of section five of the Post Office (Parcels) Act, 1882, shall be repealed as from the first day of April, nineteen hundred and twenty-one, and the amount of the railway remuneration payable in respect of the year commencing on that date and any subsequent year shall be paid out of moneys provided by Parliament.

(5) During such time as possession of any railway of which His Majesty has control at the commencement of this Act by virtue of section sixteen of the Regulation of the Forces Act, 1871, is retained under that section as amended by any subsequent enactment, the amount of the railway remuneration for the purposes of the Post Office (Parcels) Act, 1882, shall, notwithstanding anything in that Act, be a sum equal to eleven-twentieths of the amount which would have been received by the Postmaster-General by way of gross receipts if there had been no increase in the rates of postage for parcels since the first day of August, nineteen hundred and fourteen, with the addition of such an amount as the Postmaster-General may, after consultation with the Minister of Transport and with the approval of the Treasury, from time to time determine.

34 & 35 Vict. c. 86.

(6) Subject as otherwise expressly provided, this section shall be deemed to have had effect as from the first day of April, nineteen hundred and twenty.

Repeal of 8 Edw. 7. c. 48. s. 6.

4. Section six of the Post Office Act, 1908 (which exempts letters of seamen and soldiers from the ordinary rates of postage in certain circumstances), shall cease to have effect.

5. So much of section nineteen of the Post Office Act, 1908, as allows the Treasury to reverse or modify the decision of the Postmaster-General as to the proper description of any postal packet, and so much of section twenty-one of that Act as allows the Treasury to reverse or modify the decision of the Postmaster-General with respect to the admission or removal from the register of a publication, shall cease to have effect. Amendment of sections 19 and 21 of 8 Edw. 7. c. 48.

6. This Act shall extend to the Channel Islands and the Isle of Man, and the Royal Courts of the Channel Islands shall register this Act accordingly. Application to Channel Islands and the Isle of Man.

7.—(1) This Act may be cited as the Post Office and Telegraph Act, 1920, and so far as it relates to the Post Office may be cited with the Post Office Acts, 1908 to 1915, as the Post Office Acts, 1908 to 1920, and so far as it relates to telegraphs may be cited with the Telegraph Acts, 1863 to 1916, and the Telegraph (Money) Act, 1920, as the Telegraph Acts, 1863 to 1920. Short title and repeal. 10 & 11 Geo. 5. c. 37.

(2) The enactments specified in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULE.

ENACTMENTS REPEALED. Section 7.

Session and Chapter.	Short Title.	Extent of Repeal.
45 & 46 Vict. c. 74.	The Post Office (Parcels) Act, 1882.	Subsection (2) of section six.
8 Edw. 7. c. 48.	The Post Office Act, 1908.	Paragraphs (i) and (ii) of proviso (*b*) of subsection (1) of section two; section six; in section nineteen the words from "save that" to the end of the section; in subsection (3) of section twenty-one the words from "save that" to the end of the subsection.
5 & 6 Geo. 5. c. 82.	The Post Office and Telegraph Act, 1915.	Paragraphs (*a*) and (*b*) of section one.
8 & 9 Geo. 5. c. 10.	The Post Office Act, 1918.	The whole Act.

CHAPTER 41.

An Act to make provision for the taking from time to time of a Census for Great Britain or any area therein and for otherwise obtaining Statistical Information with respect to the Population of Great Britain. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to direct taking of census.

1.—(1) Subject to the provisions of this Act, it shall be lawful for His Majesty by Order in Council from time to time to direct that a census shall be taken for Great Britain, or for any part of Great Britain, and any Order under this section may prescribe—

(*a*) the date on which the census is to be taken; and

(*b*) the persons by whom and with respect to whom the returns for the purpose of the census are to be made; and

(*c*) the particulars to be stated in the returns:

Provided that—

(i) an Order shall not be made under this section so as to require a census to be taken in any part of Great Britain in any year unless at the commencement of that year at least five years have elapsed since the commencement of the year in which a census was last taken in that part of Great Britain; and

(ii) no particulars shall be required to be stated other than particulars with respect to such matters as are mentioned in the Schedule to this Act.

(2) Before any Order in Council is made under this section, a draft thereof shall be laid before each House of Parliament for a period of not less than twenty days on which that House has sat, and, if either House before the expiration of that period presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of a new draft Order: Provided that, if by part of any such Order it is proposed to prescribe any particulars with respect to any of the matters mentioned in paragraph six of the Schedule to this Act, that part of the Order shall not have effect unless both Houses by resolution approve that part of the draft, or, if any modifications in that part are agreed to by both Houses, except as so modified.

(3) Any Order in Council made under this section may be revoked, amended or varied by a subsequent Order.

Duty of Registrar-General to carry out census, and provision for expenses.

2.—(1) It shall be the duty of the Registrar-General to make such arrangements and do all such things as are necessary for the taking of a census in accordance with the provisions of this Act and of any Order in Council or regulations made thereunder, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instructions and for the collection of the forms when filled up.

(2) The Registrar-General in the exercise of his powers and in the performance of his duties under this Act or under any Order in Council or regulations made thereunder, shall be subject to the control of, and comply with any directions given by, the Minister of Health.

(3) Any expenses incurred with the sanction of the Treasury by the Minister of Health or the Registrar-General in connection with the taking of a census or otherwise in connection with the exercise of his powers or the performance of his duties under this Act shall be defrayed out of moneys provided by Parliament.

Regulations with respect to proceedings for taking census.

3.—(1) For the purpose of enabling any Order in Council directing a census to be taken to be carried into effect, the Minister of Health may make regulations—

(*a*) providing for the division of the country into districts for the purpose of the census and the appointment of persons to act in those districts in connection with the census;

(*b*) requiring superintendent registrars, registrars, overseers and assistant overseers of the poor, relieving officers for poor law unions, collectors of the poor rate, and such other persons as may be employed for the purpose of the census, to perform such duties in connection with the taking of the census as may be prescribed;

(*c*) requiring persons employed for the purpose of the census to make a statutory declaration with respect to the performance of their duties, and authorising any superintendent registrar or registrar to take such a declaration;

(*d*) requiring the chief officers of public or charitable institutions, or of any other institutions prescribed by the regulations, to make returns with respect to the inmates thereof;

(*e*) requiring information to be given to the persons liable to make returns by the persons with respect to whom the returns are to be made;

(*f*) with respect to the forms to be used in the taking of a census;

(*g*) making provision with respect to any other matters with respect to which it is necessary to make provision for the purpose of carrying into effect the provisions of the Order in Council.

(2) Every regulation made under this section shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented to His Majesty by either House within the next subsequent twenty days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything done thereunder.

Preparation of reports and abstracts.

4.—(1) The Registrar-General shall, as soon as may be after the taking of a census, prepare reports on the census returns, and every such report shall be printed and laid before both Houses of Parliament.

(2) The Registrar-General may, if he so thinks fit, at the request and cost of any local authority or person, cause abstracts to be prepared containing any such statistical information, being information which is not contained in the reports made by him under this section and which in his opinion it is reasonable for that authority or person to require, as can be derived from the census returns.

Preparation of statistics in respect of periods between one census and another.

5. It shall be the duty of the Registrar-General from time to time to collect and publish any available statistical information with respect to the number and condition of the population in the interval between one census and another, and otherwise to further the supply and provide for the better co-ordination of such information, and the Registrar-General may make arrangements with any Government Department or local authority for the purpose of acquiring any materials or information necessary for the purpose aforesaid.

Provision with respect to local census.

6.—(1) If an application is made to the Minister of Health by a local authority to which this section applies asking that a census may be taken for the whole or any part of the area of the authority, or for an area consisting of the whole or any part of that area and of the whole or any part of an adjoining area, the Minister may, if he thinks fit, submit the application to His Majesty, and His Majesty may by Order in Council, if it appears to His Majesty expedient so to do for the purpose of facilitating the due performance by the local authority of its statutory duties, direct that a census shall be taken for the area specified in the application, or for any part of that area.

(2) The provisions of this Act with respect to the taking of a census for Great Britain (other than the provision with respect to the interval between one census and another) shall,

subject to such exceptions, modifications and adaptations as may be specified in the Order, apply to the taking of a census under this section.

(3) The local authorities to which this section applies are the common council of the City of London, metropolitan borough councils, the councils of counties, the councils of boroughs, and urban district councils:

Provided that, without prejudice to the power of any other authority being a local authority to which this section applies to make an application under this section, an application may be made by the council of a county and an order may be made under this section with respect to the whole of the area of the council, including the areas of any authorities which are local authorities for the purposes of this section.

Expenses of local authorities.

7. Any expenses incurred in connection with the taking of a census under this Act in pursuance of an application made by a local authority, including the publication of any reports or returns relating to the census, shall be paid by the local authority by which the application for the census was made, and any expenses so incurred, and any other expenses incurred by a local authority under this Act, shall be defrayed in the case of the common council of the City of London and a metropolitan borough out of the general rate, in the case of a county council as expenses for general county purposes, and in the case of other councils as expenses incurred in the administration of the Public Health Acts, 1875 to 1908.

Penalties.

8.—(1) If any person—

(*a*) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act or any Order in Council or regulations made under this Act; or

(*b*) being a person required under this Act to make a statutory declaration with respect to the performance of his duties, makes a false declaration; or

(*c*) being a person required by any Order in Council or regulations made under this Act to make, sign, or deliver any document, makes, signs, or delivers, or causes to be made, signed, or delivered a false document; or

(*d*) being a person required in pursuance of any such Order in Council or regulations to answer any question, refuses to answer or gives a false answer to that question;

he shall for each offence be liable on summary conviction to a fine not exceeding ten pounds.

(2) If any person—

(*a*) being a person employed in taking a census, without lawful authority publishes or communicates to any person otherwise than in the ordinary course of

such employment any information acquired by him in the course of his employment; or

(*b*) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person;

he shall be guilty of a misdemeanor, and shall on conviction be liable to imprisonment with or without hard labour for a term not exceeding two years or to a fine, or to both such imprisonment and fine.

Application to Scotland.

9. In the application of this Act to Scotland—

(1) The Secretary for Scotland shall be substituted for the Minister of Health and the Registrar-General for Scotland shall be substituted for the Registrar-General;

(2) The local authorities to which the section of this Act relating to the taking of a local census applies shall be the councils of counties and burghs, and any expenses incurred by such councils under this Act shall be defrayed in the case of a county council out of the general purposes rate, and in the case of a town council out of the burgh general improvement assessment or any other assessment leviable in equal proportions on owners and occupiers, provided that the ratepayers of a police burgh shall not be assessed by the county council for any such expenses;

(3) Sheriffs, sheriff clerks, chief magistrates, county clerks, town clerks, inspectors of poor, and assistant inspectors of poor, shall, in connection with the taking of a census, perform such duties as may be prescribed by regulations made under this Act.

Short title and extent.

10.—(1) This Act may be cited as the Census Act, 1920.

(2) This Act shall not extend to Ireland.

SCHEDULE.

Section 1.

MATTERS IN RESPECT OF WHICH PARTICULARS MAY BE REQUIRED.

1. Names, sex, age.
2. Occupation, profession, trade or employment.
3. Nationality, birthplace, race, language.
4. Place of abode and character of dwelling.
5. Condition as to marriage, relation to head of family, issue born in marriage.
6. Any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population.

CHAPTER 42.

An Act for taking the Census for Ireland in the year nineteen hundred and twenty-one.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Census to be taken in 1921.

1. A census for Ireland shall be taken in the year nineteen hundred and twenty-one in the manner hereinafter directed, and the census day shall be Sunday the twenty-fourth day of April in that year.

Enumerators and their duties.

2.—(1) The Lord Lieutenant may appoint such officers of local authorities or such other persons as he thinks proper to act as and be enumerators for the purpose of this Act, or to superintend or assist in the enumeration.

(2) Every enumerator shall, upon the Monday following the census day, and such one or more next consecutive days as the Lord Lieutenant may fix, visit every house within the district assigned to him and take an account in writing, according to such instructions as may be given to him by the Chief or Under Secretary to the Lord Lieutenant, of the number of persons who abode therein on the night of the census day, and of the sex, age, religious profession, birthplace, parentage, condition as to marriage, relation to head of family, and occupation of all such persons, and (in the case of persons married or having been married) the number of children and step children living.

(3) Every enumerator shall take an account of the number of inhabited houses and of uninhabited houses and of houses then building within his district and of the number of rooms occupied by any occupier; and shall also furnish such particulars as may be directed as to the counties, boroughs, towns, districts, and other areas for electoral or administrative purposes in which the houses are situate.

(4) The enumerators shall also take an account of all such further particulars as they may be directed to inquire into by such instructions as are authorised to be issued under this Act.

(5) Every enumerator may ask all such questions of all persons within his district respecting themselves or the persons constituting their respective families, and respecting such further particulars, as may be necessary for the purpose of taking the said accounts.

Enumerations in public and charitable institutions.

3. The governor, master, or chief resident officer of every prison, workhouse, barrack, hospital, or lunatic asylum, and of every public or charitable institution which may be determined upon by the Lord Lieutenant, shall act as and be the enumerator of the inmates thereof, and shall conform to such instructions

as may be sent to him by the authority of the Lord Lieutenant for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates, but the initial letters only of the Christian names and surnames of such inmates shall be stated in any such return.

Provision as to houseless persons.

4. The Chief Secretary shall obtain returns of the particulars required by this Act with respect to all houseless persons, and all persons who during the night of the census day were travelling or on shipboard, or for any other reason were not abiding on that night in any house of which account is to be taken by the enumerators, and shall include such returns in the abstract to be laid before Parliament.

Forms, instructions and expenses.

5.—(1) The Chief or Under Secretary to the Lord Lieutenant shall prepare and issue such forms and instructions as he may think necessary for the taking of the census, and the census shall be taken by means of and in the manner prescribed by those forms and instructions, and no question shall be put for the purpose of obtaining information other than the information required by those forms and instructions.

(2) The expenses incurred with the approval of the Treasury for the purposes of the census shall be paid out of moneys provided by Parliament.

Certificates of accounts and abstract of returns.

6.—(1) Every enumerator shall sign and certify the account taken by him, and make a statutory declaration to the effect that the said account has been truly and faithfully taken by him, and that, to the best of his knowledge, the same is correct, so far as may be known, and shall deliver the same to such person as may be appointed by the Lord Lieutenant to receive the same from him.

(2) The accounts shall be examined, corrected, certified, and transmitted in such manner and within such time as the Lord Lieutenant may direct, and the same shall be digested and reduced into order, under the direction of the Chief or Under-Secretary to the Lord Lieutenant, by the Registrar-General of Births, Deaths and Marriages in Ireland, and by such other persons as the Lord Lieutenant may appoint for that purpose.

(3) An abstract of the accounts taken under this Act shall be laid before both Houses of Parliament within twelve months after the census day, if Parliament be then sitting, or, if Parliament be not then sitting, within the first fourteen days of the session then next ensuing.

Penalties.

7.—(1) If any enumerator makes wilful default in the performance of any of his duties under this Act, he shall for each offence be liable on conviction under the Summary Jurisdiction (Ireland) Acts to a fine not exceeding five pounds.

(2) If any person refuses to answer or wilfully gives a false answer to any question necessary for obtaining the information required to be obtained under this Act, he shall for each offence be liable on conviction under the Summary Jurisdiction (Ireland)

Acts to a fine not exceeding five pounds: Provided that no person shall be subject to any such penalty for refusing to state his religious profession.

(3) If any person employed in taking the census communicates without lawful authority any information acquired in the course of his employment, he shall be guilty of a misdemeanour and shall on conviction be liable to imprisonment with or without hard labour for a term not exceeding two years, or to a fine or to both such imprisonment and fine.

Certificate of population.

8. A certificate from the General Register Office, purporting to be signed by the Registrar-General of Births, Deaths and Marriages in Ireland, shall be admitted in any court of law as evidence of the population, at the census taken under this Act, of any county, borough, town, district or other area to which it refers, and the said Registrar-General shall be bound, if possible, to deliver such certificate to any person on payment of a fee of one shilling.

Short title.

9. This Act may be cited as the Census (Ireland) Act, 1920.

CHAPTER 43.

An Act to amend the Law relating to Firearms and other Weapons and Ammunition, and to amend the Unlawful Drilling Act, 1819. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Restriction on purchase, possession, and use of firearms.

1.—(1) A person shall not purchase, have in his possession, use, or carry any firearm or ammunition unless he holds a certificate (in this Act called a firearm certificate) granted under this section, and in force at the time.

(2) A firearm certificate shall be granted by the chief officer of police of the district in which the applicant for the certificate resides, if he is satisfied that the applicant is a person who has a good reason for requiring such a certificate and can be permitted to have in his possession, use, and carry a firearm or ammunition without danger to the public safety or to the peace, and on payment of the prescribed fee:

Provided that—

(*a*) a firearm certificate shall not be granted to a person whom the chief officer of police has reason to believe to be a person who by this Act is prohibited from possessing, using, or carrying a firearm, or to be a person of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with firearms; and

(*b*) a firearm certificate in respect of firearms or ammunition to be used solely for target practice or drill by the members of a rifle club or cadet corps approved for the purpose by a Secretary of State may be granted to any responsible officer of the club or corps without payment of any fee.

(3) A firearm certificate shall be in the prescribed form and shall specify the nature and number of the firearms to which it relates, and, as respects ammunition, the quantities authorised to be purchased and to be held at any one time thereunder, and the certificate may on the application of the holder thereof be varied from time to time by the chief officer of police of the district in which the holder for the time resides.

(4) Any person aggrieved by a refusal of a chief officer of police to grant him a firearm certificate, or to vary such a certificate, may appeal in accordance with rules made by the Lord Chancellor to a court of summary jurisdiction acting for the petty sessional division in which the appellant resides.

(5) A firearm certificate shall, unless previously revoked or cancelled, continue in force for three years, but shall be renewable for a further period of three years by the chief officer of police of the district in which the holder of the certificate resides, and so from time to time; and the provisions of this Act with respect to the grant of a certificate and to appeals from a refusal to grant a certificate shall apply to the renewal of a certificate.

(6) A firearm certificate may be revoked by the chief officer of police of the district in which the holder resides if he is satisfied that the holder thereof is a person who is prohibited by this Act from possessing, using, or carrying a firearm, or is a person of intemperate habits or unsound mind, or is otherwise unfitted to be entrusted with firearms, subject, however, to the like right of appeal as in the case of a refusal to grant a firearm certificate.

(7) The fee to be paid on the grant or renewal of a firearm certificate shall be such as is specified in the First Schedule to this Act.

(8) If any person purchases, has in his possession, uses, or carries a firearm or ammunition without holding a firearm certificate or otherwise than as authorised by such a certificate or, in the case of ammunition, in quantities in excess of those so authorised, or fails to comply with any condition subject to which the certificate is granted, he shall be liable in respect of each offence on summary conviction to a fine not exceeding fifty pounds, or to imprisonment, with or without hard labour, for a term not exceeding three months, or to both such imprisonment and fine:

Provided that no offence under this section shall be deemed to be committed—

(*a*) in the case of any person in the naval, military, or air service of His Majesty, or in a police force, by having in his possession a firearm or ammunition in his

capacity as such, or by using or carrying a firearm or ammunition in the performance of his duty as such; or

(*b*) in the case of any person carrying on the business of gunsmith or dealer in firearms or of testing or proving firearms or ammunition or the servant of such a person, by purchasing or having in his possession, using, or carrying a firearm or ammunition in the ordinary course of such business as aforesaid; or

(*c*) in the case of any person carrying on the business of common carrier or warehouseman, by having in his possession or carrying a firearm or ammunition in the ordinary course of that business; or

(*d*) in the case of any person, by having in his possession a firearm or ammunition on board ship as part of the equipment of the ship, so long as the firearm or ammunition is not brought on shore at any place in the United Kingdom or by bringing a firearm ashore for repair provided that he has obtained from an officer of police a permit in the prescribed form for that purpose; or

(*e*) in the case of any member of a rifle club or miniature rifle club or cadet corps approved by a Secretary of State, by having in his possession, using, or carrying a firearm or ammunition when engaged as such member in, or in connection with, drill or target practice; or

(*f*) in the case of an officer of the Post Office by having in his possession, using, or carrying a firearm or ammunition when acting in the course of his duties; or

(*g*) in the case of a person carrying a firearm or ammunition belonging to a person holding a certificate under this Act, by having in his possession such firearm or ammunition under instructions from and for the use of such certificated person for sporting purposes only; or

(*h*) in the case of any person carrying on the business of butcher, slaughterman, knacker, or other person engaged in the business of the humane slaughter of animals for food or other purposes, by purchasing or having in his possession or using any humane killer for the purpose of such business; or

(*i*) in the case of any person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than miniature rifles not exceeding ·23 calibre, by purchasing, having in his possession, using, or carrying such miniature rifles or ammunition suitable therefor; or, in the case of any person, by using at such miniature rifle range or shooting gallery any such rifle or ammunition; or

(*j*) in the case of a person who has been refused the grant of a firearm certificate by a chief officer of police or whose firearm certificate has been revoked by having in his possession a firearm or ammunition pending disposal thereof by him, provided that he has obtained from the chief officer of police a permit in the prescribed form for that purpose.

(9) Nothing in this section shall relieve any person using or carrying a firearm from the obligation to take out a gun licence.

Restrictions on manufacture and sale of firearms.

2.—(1) A person shall not manufacture, sell, repair, test or prove, or expose for sale, or have in his possession for sale, repair, test or proof, firearms or ammunition by way of trade or business unless he is registered as a firearms dealer in accordance with this Act.

(2) A pawnbroker shall not take in pawn a firearm or ammunition from any person :

Provided that, where any firearm or ammunition has been taken in pawn before the commencement of this Act, nothing in this Act shall prohibit the redemption thereof by a person entitled to redeem the same if he holds a firearm certificate, or is a registered dealer in firearms, and a sale of any such firearm or ammunition to a person holding such a certificate or to such a dealer may be effected by the pawnbroker, notwithstanding anything in the Pawnbrokers Act, 1872, requiring the sale to be by public auction.

35 & 36 Vict. c. 93.

(3) A person shall not sell to any person, other than a registered firearms dealer, any firearm or ammunition, unless the purchaser produces a firearm certificate authorising him to purchase the firearm or ammunition or proves that he is by virtue of this Act entitled to purchase the firearm or ammunition without having such a certificate :

Provided that this subsection shall not apply to the sale of firearms and ammunition to purchasers abroad.

(4) A person shall not undertake the repair, test or proof of a firearm or ammunition for any person in the United Kingdom other than a registered firearms dealer as such unless that person produces or causes to be produced a firearm certificate authorising him to have possession of the firearm or ammunition or a permit to bring the firearm ashore for repair.

(5) Every person who sells a firearm or ammunition to a person in the United Kingdom other than a registered firearms dealer shall comply with any instructions addressed to the seller contained in the firearm certificate produced, and, in the case of the sale of a firearm, shall, within forty-eight hours from the sale, send by registered post notice of the sale to the chief officer of police by whom the certificate was issued.

(6) Every person who manufactures or sells firearms or ammunition by way of trade or business shall provide and keep a register of transactions, and shall enter or cause to be entered therein the particulars set forth in the Second Schedule to this

Act, and every such entry shall be made within twenty-four hours after the transaction to which it relates took place, and in the case of a sale every such person as aforesaid shall at the time of the transaction require the purchaser, if not known to him, to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.

Every such person as aforesaid shall on demand allow any officer of police, duly authorised in writing in that behalf by the chief officer of police, to enter and inspect all stock in hand, and shall, on request—

(*a*) by any officer of police duly authorised in writing in that behalf by the chief officer of police; or

(*b*) by an officer of customs and excise; or

(*c*) in England, by any officer of the county council duly authorised in writing in that behalf,

produce for inspection the register so required to be kept as aforesaid:

Provided that, in each case where a written authority is required by this subsection, such authority shall be produced on demand.

(7) If any person acts in contravention of, or fails to comply with, any of the provisions of this section, or knowingly makes any false entry in the book required to be kept under this section, or, with a view to purchasing a firearm or ammunition, produces a false firearm certificate, or personates a person to whom a firearm certificate has been issued, he shall be liable on summary conviction in respect of each offence to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(8) This section shall be in addition to and not in derogation of any provisions of this or any other Act which prohibit or restrict the sale of firearms and ammunition.

Restriction on purchase, possession, and use of firearms by persons under fourteen.

3.—(1) A person under the age of fourteen years shall not purchase, have in his possession, use, or carry a firearm or ammunition, and a person shall not sell a firearm or ammunition to any person whom he knows, or has reasonable ground for believing, to be under the age of fourteen years.

(2) If any person acts in contravention of this section, he shall be liable in respect of each offence on summary conviction to a fine not exceeding twenty pounds or to imprisonment with or without hard labour for a term not exceeding three months, or to both such imprisonment and fine, but no offence shall be deemed to be committed by any person under this provision by having in his possession, using, or carrying a firearm or ammunition in circumstances in which an offence would not be deemed to be committed by him by having in his possession, using, or carrying a firearm or ammunition without a firearm certificate.

Prohibition of sale of firearms to drunk or insane persons.

4.—(1) A person shall not sell a firearm or ammunition to, or repair, prove, or test a firearm or ammunition for, any person whom he knows, or has reasonable ground for believing, to be drunk or of unsound mind.

(2) If any person acts in contravention of this section, he shall be liable in respect of each offence, on summary conviction, to a fine not exceeding twenty pounds, or to imprisonment with or without hard labour for a term not exceeding three months.

Prohibition on persons convicted of crime carrying or purchasing firearms.

8 Edw. 7. c. 59.

5.—(1) A person who has been sentenced to penal servitude or to imprisonment for a term of three months or upwards for any crime shall not, at any time during a period of five years from the date of his release, and a person who is the holder of a licence under the Penal Servitude Acts, 1853 to 1891, or the Prevention of Crime Act, 1908, or is subject to the supervision of the police, or is subject to a recognizance to keep the peace or to be of good behaviour, a condition of which is that the offender shall not possess, use, or carry a firearm, shall not, at any time during which he holds the licence or is so subject, have in his possession, use, or carry a firearm or ammunition; and no person shall sell a firearm or ammunition to, or repair, test, or prove a firearm or ammunition for any person whom he knows, or has reasonable ground for believing, to be a person prohibited by this section from having in his possession, using, or carrying a firearm or ammunition.

(2) If any person acts in contravention of this section, he shall be liable in respect of each offence, on summary conviction, to a fine not exceeding twenty pounds, or to imprisonment with or without hard labour for a term not exceeding three months.

Prohibition of manufacture, &c. of weapons discharging noxious liquids, &c.

6.—(1) It shall not be lawful for any person without the authority of the Admiralty or the Army Council or the Air Council to manufacture, sell, purchase, carry, or have in his possession any weapon, of whatever description, designed for the discharge of any noxious liquid, gas, or other thing, or any ammunition containing or designed or adapted to contain any such noxious thing, and such a weapon is in this Act referred to as a prohibited weapon.

(2) If any person contravenes the provisions of this section, he shall be guilty of a misdemeanour, and be liable on conviction on indictment to imprisonment with or without hard labour for a term not exceeding two years, or on summary conviction to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

Penalty on possession of firearms with intent to injure.

7. Any person who has in his possession or under his control any firearm or ammunition with intent by means thereof to endanger life or cause serious injury to property, or to enable any other person by means thereof to endanger life or cause serious injury to property, shall whether any injury to person or property has been caused or not, be deemed to have been guilty

of an offence under section three of the Explosive Substances Act, 1883, and the provisions of that Act shall apply accordingly. 46 & 47 Vict. c. 3.

Registration of persons manufacturing or selling firearms.

8.—(1) The chief officer of police of every police district shall keep a register for the purposes of this Act, in the form prescribed by the Secretary of State, of persons manufacturing, selling, repairing, testing or proving firearms or ammunition by way of trade or business (in this Act referred to as firearms dealers), and shall register therein, any person who, having a place of business in his district, applies to be registered as a firearms dealer and furnishes him with such particulars as may for the time being be prescribed, and pays a fee of one pound, unless that person is prohibited under this Act from being so registered:

Provided that, if the chief officer of police is satisfied that any applicant cannot be permitted to carry on business as a dealer in firearms without danger to the public safety or to the peace, he may refuse to register that person.

(2) The chief officer of police shall furnish, or cause to be furnished, to any person who is registered under this section a certificate of registration.

(3) If any person desires to have his name removed from the register, or if the chief officer of police, after giving reasonable notice to any person whose name is on the register, is satisfied that that person is no longer carrying on business as a firearm dealer, or has ceased to have a place of business in the police district, or cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or the peace, he shall cause the name of that person to be removed from the register.

(4) Any person aggrieved by a refusal of a chief officer of police to register him as a firearms dealer, or by the removal of his name from the register by a chief officer of police, may appeal, in accordance with rules made by the Lord Chancellor, to a court of summary jurisdiction acting for the petty sessional division in which the place of business in question is situated.

(5) Where a registered firearms dealer is convicted of an offence under this Act, or of an offence against the enactments relating to Customs in respect of the import or export of firearms or ammunition, the court may order—

(*a*) that the name of the registered firearms dealer be removed from the register; and

(*b*) that neither the dealer nor any person who acquires the business of that dealer, nor any person who took part in the management of the business, and was knowingly a party to the offence, shall be registered as a firearms dealer; and

(*c*) that any person who, after the date of the order, knowingly employs in the management of his business the dealer convicted of the offence, or any

person who was knowingly a party to the offence, shall not be registered as a firearms dealer or, if so registered, shall be liable to be removed from the register; and

(*d*) that any stock in hand of the business shall be disposed of by sale or otherwise in accordance with such directions as may be contained in the order:

Provided that, where an order has been made under this section, any person aggrieved by the order may appeal against the order in manner provided by the Summary Jurisdiction Acts to a court of quarter sessions.

Power to prohibit removals of firearms and ammunition.

9.—(1) A Secretary of State may by order prohibit the removal of any firearms or ammunition from one place to another in the United Kingdom or for export, unless such removal is authorised by the chief officer of police of the district from which they are to be removed, and unless such other conditions as may be specified in the order are complied with.

(2) Any such order may apply—

(*a*) either generally to all such removals, or to removals from and to any particular localities specified in the order; and

(*b*) either to all firearms and ammunition or to firearms and ammunition of such classes and descriptions as may be so specified; and

(*c*) either to all modes of conveyance or to such modes of conveyance as may be so specified:

Provided that no such order shall prohibit the holder of a firearm certificate from carrying with him any firearms or ammunition authorised by the certificate to be so carried.

(3) Any officer of police may search for and seize any firearms or ammunition which he has reason to believe are being removed or to have been removed from one place to another or for export in contravention of any such order as aforesaid, and any person having the control or custody of any firearms or ammunition in course of transit shall, on demand by a police constable, allow him all reasonable facilities for the examination and inspection thereof, and shall produce to him any documents in his possession relating thereto.

(4) If any person is guilty of a contravention of any of the provisions of this section, he shall, on summary conviction, be liable to a fine not exceeding twenty pounds for each firearm or parcel of ammunition in respect of which the offence is committed, or to imprisonment with or without hard labour for a term not exceeding three months, or to both such imprisonment and fine; and if the offender is the owner of the firearms or ammunition, the court before whom he is convicted may make such an order as to the forfeiture of the firearms or ammunition as the court think fit.

Production of firearm certificates.

10.—(1) Any constable may demand from any person whom he believes to be in possession of, or to be using or carrying, a firearm or ammunition (except in circumstances where possessing, using, or carrying a firearm or ammunition without a firearm certificate does not constitute an offence) the production of his firearm certificate.

(2) If any person upon whom a demand is so made fails to produce the certificate, or to permit the constable to read the certificate, or to show that he is a person who is exempted under section one, subsection (8), of this Act from the necessity of having a certificate, the constable may seize and detain the firearm or ammunition, and may require that person to declare to him immediately his name and address.

(3) If any person refuses so to declare his name and address, or fails to give his true name and address, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and the constable may apprehend without warrant any person who refuses so to declare his name or address, or whom he suspects of giving a false name or address, or of intending to abscond.

Provisions as to forfeiture of firearms, cancellation of certificates, and search warrants.

11.—(1) Where any person is convicted of an offence under this Act, or is convicted of any crime for which he is sentenced to penal servitude or imprisonment, or where a person has been ordered to be subject to police supervision or to enter into a recognizance to keep the peace or to be of good behaviour, a condition of which is that the offender shall not possess, use, or carry a firearm, the court before whom he is convicted or by whom the order is made may make such order as to the forfeiture or disposal of any firearm, prohibited weapon, or ammunition found in his possession, or used or carried by him, as the court think fit, and may cancel any firearm certificate held by the person convicted.

Where the court cancel a firearm certificate under this section, they shall cause notice to be sent to the chief officer of police by whom the certificate was granted.

(2) If a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been, is being, or is about to be committed, he may grant a search warrant authorising any constable named therein to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein, and to seize and detain any firearm, prohibited weapon, or ammunition which he may find on the premises or place, or on any such person, in respect of which or in connexion with which he has reasonable grounds for suspecting that an offence under this Act has been, is being, or is about to be committed, and, if the premises are those of a registered firearms dealer, to examine any books relating to the business.

(3) The constable making the search may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence against this Act.

(4) A court of summary jurisdiction may, on the application of the chief officer of police, order any firearm, prohibited weapon, or ammunition seized and detained by a police constable under this Act to be destroyed or otherwise disposed of.

Interpretation.

12.—(1) In this Act, unless the context otherwise requires—

The expression "firearm" means any lethal firearm or other weapon of any description from which any shot, bullet, or other missile can be discharged, or any part thereof, and the expression "ammunition" means ammunition for any such firearms, and includes grenades, bombs, and other similar missiles, whether such missiles are capable of use with a firearm or not, and ingredients and components thereof:

Provided that a smooth bore shot-gun or air-gun or air-rifle (other than air-guns and air-rifles of a type declared by rules made by a Secretary of State under this Act to be specially dangerous) and ammunition therefor shall not in Great Britain be deemed to be a firearm and ammunition for the purpose of the provisions of this Act other than those relating to the removal of firearms and ammunition from one place to another or for export:

The expression "offence under this Act" includes any act, omission, or other thing which is punishable under this Act:

33 & 34 Vict. c. 57.

The expression "gun licence" means a licence to use or carry a gun granted under the Gun Licence Act, 1870, and any reference to a gun licence shall include a reference to a licence or certificate to kill game taken out under the law with respect to such a licence or certificate:

53 & 54 Vict. c. 45.

The expression "police district" means any district for which there is a separate police force, and the expression "the chief officer of police" has the meaning assigned to it by the Police Act, 1890, and with respect to the City of London means the Commissioner of the City Police.

(2) The provisions of this Act as to selling and purchasing shall apply to letting on hire, giving, lending, transferring and parting with possession, and to hiring, accepting and borrowing, in the same manner as they apply to selling and to purchasing, and the expressions "seller" and "purchaser" shall be construed accordingly.

Savings.

13.—(1) Nothing in this Act relating to firearms shall apply to an antique firearm which is sold, bought, carried, or possessed as a curiosity or ornament.

(2) The provisions of this Act as to the possession of firearms without a firearm certificate shall not apply to firearms which are possessed as trophies of the present or any former war, if the owner thereof has given notice of the fact in the prescribed form to the chief officer of police of the district in which he resides, and the chief officer has signified that a certificate in respect thereof can be dispensed with, which dispensation shall be granted unless the chief officer is of opinion that the owner is not a person to whom a firearm certificate would be granted:

Provided that such firearms possessed as trophies shall not be used or carried, and that no ammunition therefor may be purchased.

(3) The provisions of this Act relating to ammunition shall be in addition to and not in derogation of any enactment relating to the keeping and sale of explosives.

Saving for the Mystery of Gunmakers.

14. Nothing in this Act contained shall apply to the proof houses of the Master, Wardens, and Society of the Mystery of Gunmakers of the City of London and the guardians of the Birmingham proof house or the rifle range at Small Heath, near Birmingham, where firearms are sighted and tested, so as to interfere in any way with the operations of those two companies in proving firearms under the provisions of the Gun Barrel Proof Act, 1868, or any other Acts for the time being in force, or to any person carrying firearms to or from any such proof house when being taken to such proof house for the purposes of proof or being removed therefrom after proof.

31 & 32 Vict. c. cxiii.

Power to Secretary of State to make rules.

15. A Secretary of State may make rules for prescribing the form of firearm certificates, and the book required by this Act to be kept by persons manufacturing or selling firearms or ammunition by way of trade or business, and other documents, and for prescribing any other thing which under this Act is to be prescribed, and for regulating the manner in which chief officers of police are to carry out their duties under this Act, and generally for carrying this Act into effect, and may by those rules vary or add to the Second Schedule to this Act, and references in this Act to that schedule shall be considered as references to the schedule as for the time being so varied or added to.

Amendment of 60 Geo. 3. and 1 Geo. 4. c. 1.

16. The power under the Unlawful Drilling Act, 1819, of authorising meetings and assemblies of persons for the purpose of training and drilling themselves, or of being trained and drilled to the use of arms, or for the purpose of practising military exercises, manœuvres, or evolutions, shall be exerciseable by a Secretary of State, or any officer deputed by him for the purpose, instead of by the lieutenant or two justices of the peace of a county.

Application to Scotland.

17. This Act shall apply to Scotland, subject to the following modifications :—

(1) The Secretary for Scotland shall be substituted for a Secretary of State, except as regards the provisions of this Act relating to the removal of firearms and ammunition from one place to another or for export, and Act of Sederunt shall be substituted for rules made by the Lord Chancellor :

(2) References to a court of summary jurisdiction shall be construed as references to the sheriff, and an appeal under subsection (4) of section one or subsection (4) of section eight of this Act shall be presented to the sheriff within whose jurisdiction the appellant resides or the place of business in question is situated :

(3) References to an appeal to quarter sessions shall not apply, and references to a person subject to a recognizance or ordered to enter into a recognizance shall be construed as references to a person ordained to find caution :

(4) The expression "justice of the peace" includes the sheriff, and any magistrate, by whatever name called, officiating under the provisions of any general or local Police Act :

53 & 54 Vict. c. 67.

(5) The reference to the Police Act, 1890, shall be construed as a reference to the Police (Scotland) Act, 1890.

Application to Ireland.

18. This Act shall apply to Ireland, subject to the following modifications :—

(1) A reference to the Chief Secretary shall be substituted for any reference to a Secretary of State :

(2) The expressions "police district" and "chief officer of police" respectively mean in the police district of Dublin metropolis that district and any of the commissioners of the police for that district, and elsewhere any district for which a county inspector of the Royal Irish Constabulary is appointed and such county inspector :

(3) For the purposes of this Act, a court of summary jurisdiction shall, except in the police district of Dublin metropolis, be constituted of a resident magistrate sitting alone or with one or more other resident magistrates, and the decision of a court of summary jurisdiction on a prosecution for an offence under this Act shall be final :

(4) "One year" shall be substituted for "three years" as the maximum period during which a firearm certificate may continue in force or for which a firearm certificate may be renewed :

(5) In the provisions as to penalties "two years" shall be substituted for "three months" as the maximum term of imprisonment :

(6) In the provisions restricting the purchase, possession, and use of firearms by persons under fourteen, "sixteen years" shall be substituted for "fourteen years":

(7) A reference to the enactments relative to pawnbrokers in Ireland shall be substituted for the reference to the Pawnbrokers Act, 1872. 35 & 36 Vict. c. 93.

(8) Section eighteen of the Criminal Justice Administration Act, 1914, so far as it limits the aggregate term of imprisonment where two or more sentences of imprisonment passed by a court of summary jurisdiction are ordered to run consecutively, shall not apply in any case where any of the sentences is passed for an offence under this Act: 4 & 5 Geo. 5. c. 58.

(9) Provisions as to appeals shall not apply:

(10) The exemption in favour of any person conducting or carrying on a miniature rifle range or shooting gallery or using a miniature rifle or ammunition at any such range or gallery shall not apply:

(11) Any constable authorised in writing in that behalf by the chief officer of police shall have the same powers as if the authority were a search warrant issued by a justice of the peace under this Act:

(12) In addition to any other powers conferred on him under this Act, or otherwise, any constable may arrest without warrant any person whom he believes to be in possession of, or to be using or carrying, a firearm or ammunition in contravention of any of the provisions of this Act, and may search any such person, and whether arresting him or not may seize and detain any firearm or ammunition in his possession or used or carried by him:

(13) For the purposes of the Explosives Substances Act, 1883, any firearm within the meaning of this Act shall be deemed to be an explosive substance.

19.—(1) This Act may be cited as the Firearms Act, 1920. Short title, repeal, and commencement.

(2) The Pistols Act, 1903, is hereby repealed. 3 Edw. 7. c. 18.

(3) This Act shall come into operation on the first day of September, nineteen hundred and twenty:

Provided that a Secretary of State may, as respects any of the provisions of this Act, by order, substitute some subsequent date or dates, not being later than the first day of December, nineteen hundred and twenty, as the date or dates on which those provisions are to come into operation.

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL SOCIETY

SCHEDULES.

Section 1.

FIRST SCHEDULE.

FEES FOR FIREARM CERTIFICATES.

	s.	d.
Where the applicant is not the holder of a certificate in force at the time of the application—		
(*a*) if the firearm or any of the firearms in respect of which a certificate is applied for belonged to him at the passing of this Act - - -	2	6
(*b*) in any other case - - - - - - - -	5	0
Where the applicant is the holder of a certificate in force at the time of the application and is applying for the renewal of the certificate - - - - - - - - -	2	6

Sections 2 and 15.

SECOND SCHEDULE.

PARTICULARS TO BE ENTERED IN BOOK BY FIREARMS DEALERS.

1. The quantities and description of firearms and ammunition manufactured and the dates thereof.

2. The quantities and description of firearms and ammunition purchased, with the names and addresses of the sellers and the dates of the several transactions.

3. The quantities and description of firearms and ammunition sold, with the names and addresses of the purchasers and (except in cases where the purchaser is a registered dealer) the districts in which the firearm certificates were issued, and the dates of the several transactions.

4. The quantities and description of firearms and ammunition in possession for sale at the date of the last stocktaking or such other date in each year as may be specified in the book.

CHAPTER 44.

An Act to control temporarily the Exportation of certain Fertilisers. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to control temporarily the

1.—(1) Subject to the provisions of this Act, His Majesty may by Order in Council prohibit the export from the United

Kingdom of any of the fertilisers specified in the Schedule to this Act. export of certain fertilisers.

(2) An Order under this section—

(*a*) may provide for the issue by such Government department as may be prescribed by the Order of licences for the export of articles to which the Order relates; and

(*b*) may authorise any such licence to be issued subject to such conditions as may be specified in the licence, and may contain provisions imposing penalties for any breach of, or failure to comply with, any such conditions.

(3) Any Order made under this section may be revoked or varied by a subsequent Order so made.

(4) This section shall have effect as though it were included in the Customs Consolidation Act, 1876, and the provisions of that Act, and of any Act amending or extending that Act, shall apply accordingly, and if any articles prohibited to be exported by virtue of this Act are exported from the United Kingdom in contravention of an Order made under this section, or are brought to any quay or other place to be shipped for the purpose of being so exported, or are waterborne to be so exported, the exporter or his agent shall be liable to the same penalty as that to which a person is liable under section one hundred and eighty-six of that Act for illegally importing prohibited goods. 39 & 40 Vict. c. 36.

2.—(1) This Act may be cited as the Fertilisers (Temporary Control of Export) Act, 1920. Short title and duration.

(2) This Act shall continue in force until the thirty-first day of December, nineteen hundred and twenty-two.

SCHEDULE. Section 1.

Sulphate of ammonia.

Superphosphate of lime

Basic slag.

Potash manures.

Compound fertilisers containing any of the foregoing substances.

CHAPTER 45.

An Act to amend the Public Libraries Consolidation (Scotland) Act, 1887. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Increase of rating limit, and provisions as to audit of accounts. 50 & 51 Vict. c. 42.

1.—(1) From and after the fifteenth day of May, nineteen hundred and twenty, section eight of the Public Libraries Consolidation (Scotland) Act, 1887, shall have effect, and shall be deemed to have had effect, as if for the words "one penny" therein occurring there were substituted the words "three pence," and the accounts of the committee appointed under that Act shall be audited as part of the accounts of the rating authority, or, in the case of a combination of burghs or parishes for the purposes of the said Act, as part of the accounts of the rating authority making the largest contribution to the expenses of the committee.

(2) Notwithstanding anything in section thirty of the Public Libraries Consolidation (Scotland) Act, 1887, a library committee may, before such date in the current financial year as may be fixed by the town council or the parish council (as the case may be), make a supplementary estimate of the sums required for the purposes mentioned in the said section, and, on such estimate being reported to the town or parish council, the council shall act upon such estimate as if it were an estimate reported in terms of the said section.

Short title and citation. 57 & 58 Vict. c. 20. 62 & 63 Vict. c. 5.

2. This Act may be cited as the Public Libraries (Scotland) Act, 1920, and the Public Libraries (Scotland) Acts, 1887 and 1894, the Public Libraries (Scotland) Act, 1899, and this Act, may be cited together as the Public Libraries (Scotland) Acts, 1887 to 1920.

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CHAPTER 46.

An Act to regulate the Importation, Exportation, Manufacture, Sale and Use of Opium and other Dangerous Drugs. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

PART I.

RAW OPIUM.

Restriction on importation of raw opium.

1. It shall not be lawful for any person to import or bring into the United Kingdom any raw opium except under licence and into approved ports.

Restriction on exportation of raw opium.

2.—(1) It shall not be lawful for any person to export from the United Kingdom any raw opium except under licence and from approved ports and except in packages marked in the prescribed manner with an indication of the contents thereof.

(2) If at any time the importation of raw opium into a foreign country is prohibited or restricted by the laws of that country, there shall, while that prohibition or restriction is in force, be attached to every licence which is issued by a Secretary of State under this Act authorising the export of raw opium from the United Kingdom, such conditions as appear to him necessary for preventing or restricting, as the case may be, the exportation of raw opium from the United Kingdom to that country during such time as the importation of raw opium into that country is so prohibited or restricted, and any such licences issued before the prohibition or restriction came into force shall, if a Secretary of State by order so directs, be deemed to be subject to the like conditions.

Power to regulate the production of and dealing in raw opium.

3. Provision may be made by regulations for controlling or restricting the production, possession, sale and distribution of raw opium, and in particular, but without prejudice to the generality of the foregoing power, for prohibiting the production, possession, sale or distribution of raw opium except by persons licensed or otherwise authorised in that behalf.

PART II.

PREPARED OPIUM.

Prohibition of exportation or importation of prepared opium.

4. It shall not be lawful for any person to import or bring into, or to export from, the United Kingdom any prepared opium.

Penalty for manufacturing, selling, using, &c., prepared opium.

5. If any person—

(*a*) manufactures, sells or otherwise deals in prepared opium; or

(*b*) has in his possession any prepared opium; or

(*c*) being the occupier of any premises permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or

(*d*) is concerned in the management of any premises used for any such purpose as aforesaid; or

(*e*) has in his possession any pipes or other utensils for use in connection with the smoking of opium or any utensils used in connection with the preparation of opium for smoking; or

(*f*) smokes or otherwise uses prepared opium, or frequents any place used for the purpose of opium smoking;

he shall be guilty of an offence against this Act.

PART III.

COCAINE, MORPHINE, &C.

Restriction on import and export of cocaine, &c.

6. It shall not be lawful to import or bring into, or to export from, the United Kingdom any drug to which this Part of this Act applies except under licence.

Control of manufacture and sale of cocaine, &c.

7.—(1) For the purpose of preventing the improper use of the drugs to which this Part of this Act applies, provision may be made by regulations for controlling the manufacture, sale, possession and distribution of those drugs, and in particular, but without prejudice to the generality of the foregoing power, for—

(*a*) prohibiting the manufacture of any drug to which this Part of this Act applies except on premises licensed for the purpose and subject to any conditions specified in the licence; and

(*b*) prohibiting the manufacture, sale or distribution of any such drug except by persons licensed or otherwise authorised under the regulations and subject to any conditions specified in the licence or authority; and

(*c*) regulating the issue by medical practitioners of prescriptions containing any such drug and the dispensing of any such prescriptions; and

(*d*) requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and furnish such information either in writing or otherwise as may be prescribed.

(2) The regulations under this section shall provide for authorising any person who lawfully keeps open shop for the retailing of poisons in accordance with the provisions of the Pharmacy Act, 1868, as amended by the Poisons and Pharmacy Act, 1908,—

31 & 32 Vict. c. 121. 8 Edw. 7. c. 55.

(*a*) to manufacture at the shop in the ordinary course of his retail business any preparation, admixture, or extract of any drug to which this Part of this Act applies; or

(*b*) to carry on at the shop the business of retailing, dispensing, or compounding any such drug;

subject to the power of the Secretary of State to withdraw the authorisation in the case of a person who has been convicted

of an offence against this Act or of an offence under the enactments relating to the customs as applied by this Act, and who cannot, in the opinion of the Secretary of State, properly be allowed to carry on the business of manufacturing or selling or distributing, as the case may be, any such drug:

Provided that the Secretary of State shall, before withdrawing the authorisation in the case of any such person consult the Council of the Pharmaceutical Society of Great Britain.

(3) Nothing in any regulations made under this section shall be taken to authorise the sale, or the keeping of an open shop for the retailing, dispensing, or compounding of, poisons by any person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy Act, 1868, as amended by the Poisons and Pharmacy Act, 1908, or to be in derogation of the provisions of the Pharmacy Act, 1868, as so amended, for prohibiting, restricting, or regulating the sale of poisons.

Drugs to which Part III. applies.

8.—(1) The drugs to which this Part of this Act applies are morphine, cocaine, ecgonine, and diamorphine (commonly known as heroin), and their respective salts, and medicinal opium, and any preparation, admixture, extract, or other substance containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine, ecgonine or diamorphine.

For the purpose of the foregoing provision, the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine.

(2) If it appears to His Majesty that any new derivative of morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other drug of whatever kind is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as or analogous to those produced by morphine or cocaine, His Majesty may by Order in Council declare that this Part of this Act shall apply to that new derivative or alkaloid or other drug in the same manner as it applies to the drugs mentioned in subsection (1) of this section.

PART IV.

GENERAL.

Application of Customs Acts.

39 & 40 Vict. c. 36.

9.—(1) Articles prohibited to be imported by virtue of this Act shall be deemed to be included among the goods enumerated and described in the table of prohibitions and restrictions inwards contained in section forty-two of the Customs Consolidation Act, 1876, and the provisions of this Act relating to the prohibition of the export of articles shall have effect as though they were included in that Act, and the provisions of that Act and of any Act amending or extending that Act shall apply accordingly.

(2) If any goods prohibited to be exported by virtue of this Act are exported from the United Kingdom in contravention thereof, or brought to a quay or other place to be shipped for the purpose of being so exported or of being waterborne to be so exported, the exporter or his agent shall be liable to the same penalty as that to which a person is liable under section one hundred and eighty-six of the Customs Consolidation Act, 1876, for illegally importing prohibited goods.

Powers of inspection.

10.—(1) Any constable or other person authorised in that behalf by any general or special order of a Secretary of State shall, for the purposes of the execution of this Act, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which this Act applies, and to demand the production of and to inspect any books relating to dealings in any such drugs and to inspect any stocks of any such drugs.

(2) If any person wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any such books or stocks as aforesaid, he shall be guilty of an offence against this Act.

Regulations to be laid before Parliament.

11. Every regulation made under this Act shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation and it shall thenceforth be void but without prejudice to the validity of anything previously done thereunder.

Licences.

12. Licences or authorities for the purposes of this Act may be issued or granted by a Secretary of State and may be issued or granted on such terms and subject to such conditions (including in the case of a licence the payment of a fee) as the Secretary of State thinks proper.

Offences and penalties.

13.—(1) If any person acts in contravention of or fails to comply with any regulation made under this Act, or acts in contravention of or fails to comply with the conditions of any licence issued or authority granted under or in pursuance of this Act, he shall be guilty of an offence against this Act.

(2) Any person guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding two hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months or to both such fine and imprisonment, and in the case of a second or subsequent conviction to a fine not exceeding five hundred pounds, or to imprisonment with or without hard labour for a term not exceeding two years, or to both such fine and imprisonment, and the court dealing with the case may, in addition to any other punishment, order the goods in respect of which the offence was committed to be forfeited.

(3) Any proceedings for an offence against this Act before a court of summary jurisdiction may, notwithstanding any enactment prescribing the time within which such proceedings may be brought, be brought either within the time so prescribed or within three months from the date on which evidence sufficient in the opinion of a Secretary of State to justify a prosecution for the offence comes to his knowledge, whichever is the longer, and, for the purposes of this subsection, a certificate purporting to be signed by the Secretary of State as to the date on which such evidence as aforesaid comes to his knowledge shall be conclusive evidence thereof.

In the application of this subsection to Scotland the Lord Advocate, and in the application of this subsection to Ireland the Attorney-General for Ireland, shall be substituted for a Secretary of State.

Power of arrest.

14. Any constable may arrest without warrant any person who has committed, or attempted to commit, or is reasonably suspected by the constable of having committed or attempted to commit, an offence against this Act, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to and cannot be ascertained by him.

Interpretation.

15.—(1) In this Act, unless the context otherwise requires—

The expression "raw opium" includes powdered or granulated opium, but does not include medicinal opium;

The expression "prepared opium" means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked;

The expression "medicinal opium" means raw opium which has been artificially dried;

The expression "regulations" means regulations made under this Act by a Secretary of State;

The expression "prescribed" means prescribed by regulations;

The expression "approved ports" means ports approved by the Commissioners of Customs and Excise for the importation or exportation, as the case may be, of raw opium.

(2) For the purposes of this Act, any article shall be deemed to be imported under licence or exported under licence if the importer or exporter, as the case may be, is the holder of a licence issued under this Act authorising the importation or exportation, as the case may be, of the article and complies with the conditions, if any, of the licence, but not otherwise.

Application to Ireland.

16. This Act in its application to Ireland shall have effect subject to the following modifications; namely,—

(*a*) A reference to the Poisons (Ireland) Act, 1870, the Pharmacy (Ireland) Act, 1875, and the Pharmacy

33 & 34 Vict. c. 26.

38 & 39 Vict. c. 57. 53 & 54 Vict. c. 48.

(Ireland) Act, 1875 (Amendment), Act, 1890, shall be substituted for any reference to the Pharmacy Act, 1868; and

(*b*) A reference to the Pharmaceutical Society of Ireland shall be substituted for the reference to the Pharmaceutical Society of Great Britain.

Short title and commencement.

17.—(1) This Act may be cited as the Dangerous Drugs Act, 1920.

(2) This Act shall come into operation on the first day of September, nineteen hundred and twenty.

CHAPTER 47.

An Act to continue temporarily the office of Food Controller and to make further provision with respect to his powers, and for purposes in connexion therewith. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuation of office of Food Controller. 6 & 7 Geo. 5. c. 68.

1.—(1) Subject to the provisions of this Act, the provisions of the New Ministries and Secretaries Act, 1916, so far as they relate to the Food Controller or the Ministry of Food, shall, notwithstanding anything in that or any other Act, continue in force until the first day of September, nineteen hundred and twenty-two:

Provided that—

(*a*) the purposes of the Ministry of Food shall, in lieu of the purposes specified in section three of the New Ministries and Secretaries Act, 1916, or in any other provisions relating to the purposes for or in relation to which any of the powers of the Food Controller may be exercised, be the maintenance and augmentation of the food supply of the country, and the regulation in the public interest of the treatment, distribution, and prices of food; and

(*b*) nothing in this section shall be deemed to continue any power of making regulations under the Defence of the Realm (Consolidation) Act, 1914. 5 Geo. 5. c. 8.

(2) The Food Controller shall, after the passing of this Act during the continuance of his office, have and exercise all the powers possessed by him, at the time of the passing of this Act, under the regulations referred to in the Schedule to this

Act, which regulations, so far as they relate to the powers of the Food Controller, shall, subject to the limitations set out in that Schedule, have effect as though set out in this Act, and shall cease to have effect as regulations made under any enactment relating to the Defence of the Realm.

Any orders made by the Food Controller under any of the said regulations and in force at the date of the passing of this Act shall, unless or until varied or revoked, continue in force and have effect as if made under the powers conferred by this Act.

(3) His Majesty may by Order in Council provide—

(*a*) for the transfer of all or any of the powers of the Food Controller under this Act to some other Government Department or Departments if it appears to him that those powers could be more satisfactorily exercised by that Department or those Departments if so transferred; and

(*b*) for the discontinuance of all or any of the powers of the Food Controller before the date fixed by this Act if it appears to him that the exercise of those powers is no longer necessary; and

(*c*) on the cessation of the office of Food Controller and the Ministry of Food, for the vesting and transfer in and to any Government Department or Departments of any property, rights, and liabilities held, enjoyed, or incurred by the Food Controller.

(4) The Food Controller may sue and be sued by that name.

Penalties.

2.—(1) If after the passing of this Act any person is guilty of an offence or a summary offence under any of the regulations specified in the Schedule to this Act or against any order continued by this Act, or that may be made under any of the said regulations, he shall be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and the court by which he is convicted may, in any case, order that any goods or moneys in respect of which the offence has been committed, be forfeited:

Provided that a prosecution for any such offence shall not in England or Ireland be instituted except by or with the consent of the Attorney-General for England or Ireland, as the case may be, or by an officer of the police, or by a person acting under the authority of the Food Controller.

8 & 9 Geo. 5. c. 9.

(2) The Defence of the Realm (Food Profits) Act, 1918, shall continue in force during the continuance of the office of the Food Controller, and shall apply in relation to any order made by the Food Controller in pursuance of his powers for the time being in force.

Power to regulate importation and exportation of food.

3.—(1) The Food Controller may by order—

(*a*) prohibit or regulate the export of any article of food where it appears to him necessary for the purpose of maintaining sufficient supplies of the article in the United Kingdom or of stabilising prices, or for the purpose of giving effect to any international arrangements for buying to which His Majesty's Government may be a party; or

(*b*) prohibit or regulate the export of any article of food where the article or any ingredient thereof is subsidised; or

(*c*) prohibit or regulate the import of any article of food into the United Kingdom, where it appears to him necessary for the efficient and economical distribution of the article, or for the purpose of facilitating purchases on behalf of His Majesty's Government at reasonable prices or of giving effect to any international arrangement for buying to which His Majesty's Government is a party:

Provided that an order under this section shall as soon as may be after it is made be laid before both Houses of Parliament, and, if an address is presented to His Majesty by either House within the next twenty days on which that House has sat after the order is laid before it praying that the order or any part thereof may be annulled, His Majesty in Council may annul the order or that part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(2) This section and any order made thereunder shall be construed as one with the Customs (Consolidation) Act, 1876, and the enactments amending the same, and all the provisions of that Act and those enactments so far as they are applicable to the exportation or importation of prohibited goods shall apply accordingly.

39 & 40 Vict. c. 36.

(3) An order under this section may be revoked, varied or added to by a subsequent order.

Powers in relation to hops.

4.—(1) With a view to assisting the industry of hop growing in the United Kingdom to recover from the injury which it suffered during the war, the Food Controller shall, during the continuance of his office, have and exercise any powers in relation to hops which at the time of the passing of this Act were exercisable by him, and may by order prohibit or regulate the importation of foreign hops in such manner as may appear to him necessary, and the provisions of the last preceding section shall apply to any such order.

(2) An Order under this Act providing for the transfer of the powers of the Food Controller under this section to any other

Government Department or Departments may, notwithstanding anything in this Act, provide for the continuance of the power so transferred until the expiration of a period of five years from the passing of this Act, and in such case the provisions of this Act, so far as necessary, shall continue to have effect accordingly.

Expenses. 6 & 7 Geo. 5. c. 68.

5. Without prejudice to the operation of section ten of the New Ministries and Secretaries Act, 1916, any expenses of the Ministry of Food or any other Government Department under this Act, to such amount as may be sanctioned by the Treasury shall be paid out of moneys provided by Parliament.

Short title.

6. This Act may be cited as the Ministry of Food (Continuance) Act, 1920.

SCHEDULE.

Sections 1 and 2.

REGULATIONS.

Regulations 2B, 2F to 2J, inclusive, and 2JJJ of the Defence of the Realm Regulations.

LIMITATIONS.

1. The Food Controller shall not, without the consent in England and Wales of the Minister of Agriculture and Fisheries, in Scotland of the Board of Agriculture for Scotland, or in Ireland of the Department of Agriculture and Technical Instruction for Ireland, make any order for the purpose of encouraging the cultivation of land in any manner, the keeping or breeding of any live stock or poultry, or the production of any farm or dairy produce.

2. Where any articles are requisitioned or acquired after the passing of this Act under the powers of the Food Controller, the compensation to be paid in default of agreement shall in each case be such compensation as may be determined to be reasonable by the arbitration of a single arbitrator appointed for the purpose by the Lord Chief Justice of England in England, by the Lord President of the Court of Session in Scotland, and by the Lord Chancellor in Ireland, and the arbitrator shall not be bound by any provisions contained in any of the said regulations as to the principles on which compensation or price is to be determined.

3. The powers of the Food Controller under Regulations 2B, 2F (2) and 2JJJ (except subsections (1) (*c*), (4), (5), and (6)) shall be exercised only where it appears to the Food Controller necessary or expedient for the purpose of distributing supplies in a more efficient manner or by reason of any shortage of supplies or of any other special circumstances.

4. The powers of the Food Controller under Regulation 2GG shall be exercised only in relation to flour and other mills to which that regulation applies at the time of the passing of this Act.

CHAPTER 48.

An Act to restrict the taking of legal proceedings in respect of certain acts and matters done during the war, and provide in certain cases remedies in substitution therefor, and to validate certain proclamations, orders, licences, ordinances, and other laws issued, made, and passed, and sentences, judgments, and orders of certain courts given and made during the war. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Restrictions on the taking of legal proceedings against persons acting in good faith.

1.—(1) No action or other legal proceeding whatsoever, whether civil or criminal, shall be instituted in any court of law for or on account of or in respect of any act, matter or thing done, whether within or without His Majesty's dominions, during the war before the passing of this Act, if done in good faith, and done or purported to be done in the execution of his duty or for the defence of the realm or the public safety, or for the enforcement of discipline, or otherwise in the public interest, by a person holding office under or employed in the service of the Crown in any capacity, whether naval, military, air-force, or civil, or by any other person acting under the authority of a person so holding office or so employed; and, if any such proceeding has been instituted whether before or after the passing of this Act, it shall be discharged and made void, subject in the case of a proceeding instituted before the twentieth day of July, nineteen hundred and twenty, to such order as to costs as the court or a judge thereof may think fit to make :

Provided that, except in cases where a claim for payment or compensation can be brought under section two of this Act, this section shall not prevent—

(*a*) the institution or prosecution of proceedings on behalf of His Majesty or any Government department;

(*b*) the institution or prosecution of proceedings in respect of any rights under, or alleged breaches of, contract, if the proceedings are instituted within one year from the termination of the war or the date when the cause of action arose, whichever may be the later;

(*c*) the institution or prosecution of civil proceedings founded on negligence in respect of damage to person or property elsewhere than in a foreign country;

(*d*) the institution or prosecution of civil proceedings in respect of damage to person or property in any foreign country, or of the requisitioning of property

in any foreign country, if the consent of the Attorney-General (or in Scotland of the Lord Advocate) to the institution or prosecution of the proceedings is obtained, but such consent shall not be given if the person seeking to institute or prosecute the proceeding would have had no remedy if the act complained of had been done in the United Kingdom, or if other provision has been made by treaty or convention for the settlement of claims of the class in question;

(*e*) the institution or prosecution of proceedings respecting the validity or infringement of a patent.

(2) For the purposes of this section, a petition of right shall be deemed to be a legal proceeding; and the proceeding shall be deemed to be instituted at the date on which the petition is presented.

(3) For the purposes of this section, a certificate by a Government department that any act, matter, or thing was done under the authority of a person so holding office or so employed as aforesaid, or was done in the execution of a duty, shall be sufficient evidence of such authority or duty and of such act, matter, or thing having been done thereunder, or in execution thereof, and any such act, matter, or thing done by or under the authority of a person so holding office or so employed as aforesaid shall be deemed to have been done in good faith unless the contrary is proved.

(4) Nothing in this section shall prejudice or prevent the institution or prosecution of proceedings for giving effect to a final judgment given before the passing of this Act by any court of final resort or by any other court where the judgment at the passing of this Act is not then the subject of a pending appeal.

Right to compensation for acts done in pursuance of prerogative and other powers.

2.—(1) Notwithstanding anything in the foregoing section restricting the right of taking legal proceedings, any person not being a subject of a state which has been at war with His Majesty during the war and not having been a subject of such a state whilst that state was so at war with His Majesty—

(*a*) being the owner of a ship or vessel which or any cargo space or passenger accommodation in which has been requisitioned at any time during the war in exercise or purported exercise of any prerogative right of His Majesty or of any power under any enactment relating to the defence of the realm, or any regulation or order made or purporting to be made thereunder, shall be entitled to payment or compensation for the use of the same and for services rendered during the employment of the same in Government service, and compensation for loss or damage thereby occasioned; or

(*b*) who has otherwise incurred or sustained any direct loss or damage by reason of interference with his property or business in the United Kingdom through the exercise or purported exercise, during the war, of any prerogative right of His Majesty or of any power under any enactment relating to the defence of the realm, or any regulation or order made or purporting to be made thereunder, shall be entitled to payment or compensation in respect of such loss or damage;

and such payment or compensation shall be assessed on the principles and by the tribunal hereinafter mentioned, and the decision of that tribunal shall be final:

Provided that—

(i) The provisions as to the statement of a case in any enactment relative to arbitrations shall not apply to any such tribunal, but, if either party feels aggrieved by any direction or determination of the tribunal on any point of law, he may, within the time and in accordance with the conditions prescribed by rules of court, appeal to the Court of Appeal, or as respects Scotland to either division of the Court of Session, and the decision of the Court of Appeal or Court of Session on any such appeal shall, with the leave of that Court but not otherwise, be subject to appeal to the House of Lords;

(ii) nothing in this section shall confer on any person a right to payment or compensation unless notice of the claim has been given to the tribunal in such form and manner as the tribunal may prescribe within one year from the termination of the war or the date when the transaction giving rise to the claim took place, whichever may be the later.

(2) The payment or compensation shall be assessed in accordance with the following principles:—

(i) Where under any regulation or order made or purporting to be made under any enactment relating to the defence of the realm, any special principle for assessment of any payment (including any price to be paid) or compensation or the rate thereof, is contained in the regulation or order, such payment or compensation shall be assessed in accordance with that principle or rate:

Provided that nothing in this provision shall prevent the tribunal in assessing the payment or compensation from taking into consideration any circumstances which, under the regulation in question, it would have been entitled to take into consideration.

(ii) Where the payment or compensation is claimed under paragraph (*a*) of subsection (1) of this section, it

shall be assessed in accordance with the principles upon which the Board of Arbitration constituted under the proclamation issued on the third day of August, nineteen hundred and fourteen, has hitherto acted, which principles are set forth in Part I. of the Schedule to this Act.

(iii) In any other case, compensation shall be assessed as follows :—

(*a*) If the claimant would, apart from this Act, have had a legal right to compensation, the tribunal shall give effect to that right, but in assessing the compensation shall have regard to the amount of the compensation to which, apart from this Act, the claimant would have been legally entitled, and to the existence of a state of war and to all other circumstances relevant to a just assessment of compensation :

Provided that this subsection shall not give any right to payment or compensation for indirect loss.

(*b*) If the claimant would not have had any such legal right, the compensation shall be assessed in accordance with the principles upon which the Commission appointed by His Majesty under Commissions dated the thirty-first day of March, nineteen hundred and fifteen, and the eighteenth day of December, nineteen hundred and eighteen (commonly known as the Defence of the Realm Losses Commission), has hitherto acted in cases where no special provision is made as to the assessment of compensation, which principles are set forth in Part II. of the Schedule to this Act.

(3) Where before the fifteenth day of April, nineteen hundred and twenty, any claim for payment or compensation has been made and disposed of by award or agreement, or has been rejected, or any payment (other than a payment expressed to be made on account) has been accepted in respect thereof, no claim for payment or compensation or further payment or compensation under this section shall be brought without the leave of the tribunal, and the tribunal shall not grant such leave except on proof of a material change of circumstances or new evidence not previously available being adduced.

(4) The tribunal for assessing payment or compensation shall, where by any of the Defence of the Realm Regulations any special tribunal is prescribed, be that tribunal, and in cases where the claim is made under paragraph (*a*) of subsection (1) of this section be the said Board of Arbitration, and in any other case be the said Defence of the Realm Losses Commission.

(5) A judge of the High Court of Justice or, in cases where the claim is in respect of interference with property or business in Scotland, a judge of the Court of Session, shall be president

of the Defence of the Realm Losses Commission, which Commission shall hereafter be styled and known as the War Compensation Court.

(6) A person may be compelled to attend and give evidence or produce documents in proceedings before the said Board of Arbitration or War Compensation Court in like manner as in proceedings before an arbitrator, and the Board or War Compensation Court shall have power to require any person appearing before them to give evidence on oath and to authorise any person to administer an oath for that purpose and the Board or Court shall have power to award and assess such sums by way of costs as they in their discretion may think just.

(7) The War Compensation Court may sit in more than one division at the same time, and in any such case anything which may be done to, by, or before the Court may be done to, by, or before any such division of the Court.

Savings.

3. Nothing in the foregoing provisions of this Act shall—

(*a*) affect or apply to proceedings in any prize court as respects any matter within the jurisdiction of the court; or

6 & 7 Geo. 5. c. 63. 9 & 10 Geo. 5. c. 57. 8 & 9 Geo. 5. c. 36.

(*b*) affect the application of the Defence of the Realm (Acquisition of Land) Act, 1916, or the Acquisition of Land (Assessment of Compensation) Act, 1919, or the Corn Production (Amendment) Act, 1918, in any case where apart from this Act any of those Acts would apply;

34 & 35 Vict. c. 86. 9 & 10 Geo. 5. c. 50.

(*c*) affect the application of section sixteen of the Regulation of the Forces Act, 1871, or of section eight of the Ministry of Transport Act, 1919.

Validation of customs, proclamations, &c.

39 & 40 Vict. c. 36.

4. Any proclamation or Order in Council issued or purporting to be issued under section forty-three of the Customs Consolidation Act, 1876, during the war and before the fifteenth day of April, nineteen hundred and twenty, prohibiting or restricting the importation of any goods into the United Kingdom, and any licence granted in pursuance of any such proclamation or order shall be, and shall be deemed always to have been valid, but nothing in this section shall be construed as rendering valid the continuance in operation after the fifteenth day of April, nineteen hundred and twenty, of any such proclamation or Order in Council.

Validation of sentences.

5. Any sentence passed, judgment given, or order made by any military court (other than a court-martial constituted in pursuance of any statute) in connection with the war, or by any court established by the authority administering any territory in the occupation of any of His Majesty's Forces during the war for the administration of justice within such territory, whether passed, given, or made during such occupation, or after such occupation has determined until the court has been

abolished or superseded by such lawfully constituted authority as may hereafter be established for the administration of such territory, shall be deemed to be and always to have been valid, and to be and always to have been, within the jurisdiction of the court:

Provided that any petition from a person upon whom a sentence has been passed by any such military court shall be submitted to the Judge-Advocate-General for his opinion and report in like manner and in the like cases as if the sentence were a sentence passed by a court-martial under the Army Act.

Validation of laws made in occupied territories.

6. All laws, ordinances, proclamations and other legislative acts made, issued, or done by the authority for the time being administering any territory in the military occupation of any of His Majesty's forces during the war for the peace, order, or good government of such territory shall be deemed to be and always to have been valid and of full effect, both during such occupation and after the determination thereof until repealed or superseded by such lawfully constituted legislative authority as may hereafter be established for that territory, notwithstanding that any such legislative act may have repealed or been inconsistent with the law previously in force in such territory.

Short title, extent, and interpretation.

7.—(1) This Act may be cited as the Indemnity Act, 1920.

(2) His Majesty in Council may, by order, apply this Act to any part of His Majesty's dominions outside the United Kingdom, except the self-governing dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia (including for the purposes of this Act the territory of Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa and Newfoundland:

Any such Order in Council applying this Act to any part of His Majesty's dominions may apply it subject to such modifications and exceptions as may appear to His Majesty necessary for adapting this Act to the circumstances of that part, and in particular any such Order in Council made in respect of India may validate any laws made for the purposes of the war by the Indian Legislature or the Governor General, and nothing done under any laws so validated or any rule made thereunder shall be invalid by reason only of the provisions of subsection (2) of section thirty-two of the Government of India Act, 1915. 5 & 6 Geo. 5. c. 61.

(3) In this Act, "the war" means the war declared against Germany, Austria-Hungary, Turkey, and Bulgaria on the fourth day of August, the twelfth day of August, and fifth day of November, nineteen hundred and fourteen, and the fifteenth day of October, nineteen hundred and fifteen, respectively.

Section 2.

SCHEDULE.

PART I.

PRINCIPLES ON WHICH THE BOARD OF ARBITRATION HAS HITHERTO ACTED.

The payment or compensation to be awarded for the use of a ship, or vessel, or cargo space, or passenger accommodation therein, and for services rendered shall be based on the rates and conditions contained in the Blue Book reports, or in cases of a class where those rates and conditions have not been applied on some other liberal estimate of the profits which the owner could have made if there had been no war, and shall be assessed without taking into account any increase of market values of tonnage or of rates of hire due to the war, together with, in cases where damage to or loss of the ship or vessel directly due to such use has occurred, a sum by way of compensation in respect of such loss or damage, so, however, that nothing shall be awarded for any other damage or loss incidentally caused to the owner or to other persons.

For the purposes of this Part of this Schedule, the expression "Blue Book reports" means the reports as to rates and conditions published in October, nineteen hundred and fourteen, by the sub-committee of the Board of Arbitration, subject to such increases or modifications thereof as may have been agreed to before the first day of January, nineteen hundred and twenty.

PART II.

PRINCIPLES ON WHICH THE DEFENCE OF THE REALM LOSSES COMMISSION HAS HITHERTO ACTED.

The Compensation to be awarded shall be assessed by taking into account only the direct loss and damage suffered by the claimant by reason of direct and particular interference with his property or business, and nothing shall be included in respect of any loss or damage due to or arising through the enforcement of any order or regulation of general or local application, or in respect of any loss or damage due simply and solely to the existence of a state of war, or to the general conditions prevailing in the locality, or to action taken upon grounds arising out of the conduct of the claimant himself rendering it necessary for public security that his legal rights should be infringed, or in respect of loss of mere pleasure or amenity.

CHAPTER 49.

An Act to promote the Welfare of Blind Persons.

[16th *August* 1920.]

BE it enacted by the King's most Excellent *Majesty*, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present *Parliament* assembled, and by the authority of the same, as follows:

Pensions for blind persons over 50.

1. Every blind person who has attained the age of fifty shall be entitled to receive and to continue to receive such pension as, under the Old Age Pensions Acts, 1908 to 1919, he would be entitled to receive if he had attained the age of seventy, and the provisions of those Acts (including the provisions as to expenses, but excluding the provisions of subsection (2) of section ten of the Old Age Pensions Act, 1908, relating to the giving of notices by registrars of births and deaths) shall apply in all respects to such persons as if for the first statutory condition there were substituted a condition that the person must have attained the age of fifty, and be so blind as to be unable to perform any work for which eyesight is essential, and as if for references to "seventy" and "fifty" there were respectively substituted references to "fifty" and "thirty."

8 Edw. 7 c. 40.

Power of local authorities to promote welfare of blind persons.

2.—(1) It shall be the duty of the council of every county and every county borough, whether in combination with any other council or councils or otherwise, to make arrangements to the satisfaction of the Minister of Health for promoting the welfare of blind persons ordinarily resident within their area, and such council may for this purpose provide and maintain or contribute towards the provision and maintenance of workshops, hostels, homes, or other places for the reception of blind persons whether within or without their area and, with the approval of the Minister of Health, do such other things as may appear to them desirable for the purpose aforesaid. The Council shall, within twelve months after the passing of this Act, prepare and submit to the Minister of Health a scheme for the exercise of their powers under this section.

(2) The expenses incurred by a council under this section shall be defrayed in the case of a county council out of the county fund as expenses for general county purposes and in the case of a county borough council out of the borough fund or borough rate.

(3) A council may borrow for the purposes of this section in the case of a county council in accordance with the Local Government Act, 1888, and in the case of a county borough council, in accordance with the Public Health Acts, 1875 to 1908, but the money so borrowed by the council of a county borough shall be borrowed on the security of the borough fund or borough rate, and money borrowed for the purposes of this section shall not be reckoned as part of the debt of the council for the purposes of any provision limiting the powers of borrowing by the council.

51 & 52 Vict. c. 41.

(4) A council may exercise any of the powers conferred by this section (other than the power of raising a rate or of borrowing money) through a committee of the council, and may appoint as members of the committee persons specially qualified by training or experience in matters relating to the blind, who are not members of the council, but not less than

two-thirds of the members of every such committee shall consist of members of the council, and a committee established under this section may, subject to any direction of the council, appoint such and so many sub-committees consisting either or partly of members of the committee, as the committee thinks fit.

(5) This section shall apply to the City of London as if it were a county borough and the common council were the council of a county borough, and any expenses of the common council under this section shall be defrayed out of the general rate.

56 & 57 Vict. c. 42.

(6) Nothing in this section shall affect the powers and duties of local education authorities under the Elementary Education (Blind and Deaf Children) Act, 1893, or the Education Acts, 1870 to 1919, and local education authorities in the exercise of their duty to contribute to the establishment of a national system of public education available for all persons capable of profiting thereby shall make or otherwise secure adequate and suitable provision for the technical education of blind persons ordinarily resident in their area who are capable of receiving and being benefited by such education.

(7) For the purposes of this section, a blind person who becomes an inmate of an institution for the blind after the commencement of this Act shall be deemed to continue to be ordinarily resident in the area in which he was ordinarily resident before he became an inmate of such institution.

Charities for the blind. 6 & 7 Geo. 5. c. 43.

3.—(1) The War Charities Act, 1916, shall apply to charities for the blind as if it were herein re-enacted and in terms made applicable to such charities, subject, however, to the following modifications:—

(*a*) The registration authority shall, as respects the City of London, be the common council of the City of London, and elsewhere the county council or county borough council;

(*b*) Notwithstanding anything in subsection (3) of section two of the Act, the registration authority may refuse to register a charity if they are satisfied that its objects are adequately attained by a charity registered under the Act;

(*c*) Notwithstanding anything in section four of the Act, the fee payable on registration of a charity may exceed ten shillings, but shall not exceed two guineas;

(*d*) Regulations made by the Charity Commissioners under section four of the Act shall be subject to the approval of the Minister of Health instead of a Secretary of State;

(*e*) Where a charity is removed from the register, the Charity Commissioners may exercise, in relation to the charity, any powers which they are authorised by section six of the Act to exercise in relation to charities registered under the Act for the purposes of an appeal thereunder; and

(*f*) Where any of the conditions mentioned in section three of the Act are not complied with in respect of any registered charity, any person who, by regulations made under section four of the Act, may be made responsible for the observance of those conditions shall be guilty of an offence against the Act.

(2) Regulations may be made by the Charity Commissioners subject to the approval of the Minister of Health for providing that in the case of any charities for the blind which have, before the passing of this Act, been registered under the War Charities Act, 1916, the registration under that Act shall have effect as registration by the appropriate registration authority under this Act and for making such consequential provisions as may be necessary for that purpose. 6 & 7 Geo. 5. c. 43.

(3) In this section "charity for the blind" means any fund, institution, or association (whether established before or after the commencement of this Act) having or professing to have for its object or for one of its objects the provision of assistance in any form to blind persons or any other charitable purpose relating to blind persons, but shall not include any fund, institution, or association where any such object as aforesaid is subsidiary only to the principal purposes of the charity.

4.—(1) This Act shall apply to Scotland subject to the following modifications :— Application to Scotland and Ireland.

(*a*) Subsections (2) and (3) of section 2 and paragraphs (*d*) and (*e*) of subsection (1) of section 3 shall not apply;

(*b*) The following subsection shall be substituted for subsection (6) of section 2—

> (6) Education Authorities under the Education (Scotland) Act, 1918, shall make or otherwise secure adequate and suitable provision for the technical education of blind persons ordinarily resident in their areas who are capable of receiving and being benefited by such education. 8 & 9 Geo. 5. c. 48.

(*c*) The expression "county borough" has the meaning assigned thereto in section one hundred and thirty-two of the Children Act, 1908, and the provisions of subsection (21) of that section so far as applicable to county and town councils shall apply for the purposes of this Act with the substitution of references to this Act for references to the Children Act, 1908, or any section thereof; 8 Edw. 7. c. 67.

(*d*) References to the Minister of Health and to the Charity Commissioners shall be construed as references to the Scottish Board of Health.

(2) This Act shall apply to Ireland subject to the following modifications :—

(*a*) References to the Minister of Health shall be construed as references to the Local Government Board for Ireland;

(*b*) The expenses incurred by a council under this Act shall be defrayed out of the poor rate, and in the case of a county council shall be raised as a county at large charge, and a council may borrow for the purposes of this Act under Article 22 of the Schedule to the Local Government (Application of Enactments) Order, 1898.

Short title and commencement.

5. This Act may be cited as the Blind Persons Act, 1920, and shall come into operation on the tenth day of September, nineteen hundred and twenty.

CHAPTER 50.

An Act to provide for the better administration of mines, and to regulate the coal industry, and for other purposes connected with the mining industry and the persons employed therein. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

ADMINISTRATION OF MINING INDUSTRY.

Establishment of Mines Department of Board of Trade.

1. For the purpose of securing the most effective development and utilisation of the mineral resources of the United Kingdom and the safety and welfare of those engaged in the mining industry, there shall be established a department of the Board of Trade (to be known as the Mines Department) under a Parliamentary Secretary of the Board (in this Act referred to as "the Secretary for Mines"), and all powers and duties of the Board of Trade in relation to mines and the mining industry, whether under this Act or otherwise, shall, subject to the directions of the Board of Trade, be exercised and performed through the Secretary for Mines.

General powers and duties.

2.—(1) It shall be the duty of the Board of Trade, in the exercise and performance of their powers and duties in relation to mines and the mining industry, to take steps to carry out the purposes aforesaid, and there shall, as from such date or dates as His Majesty in Council may determine, be transferred to the Board of Trade all the powers of a Secretary of State under enactments relating to mines and quarries.

(2) If in regard to any other powers and duties of any Government department relating to mines, quarries, or minerals or the mining industry or the persons engaged therein, whether conferred by statute or otherwise, it is deemed expedient that such powers and duties should be transferred to the Board of Trade, or be exercised or performed by the Board of Trade

concurrently or in consultation with the Government department concerned, His Majesty in Council may by order make provision for the purpose.

(3) The Board of Trade shall undertake the collection, preparation, and publication of information and statistics relating to the mining industry, and shall co-operate with such Committees of the Privy Council as are formed for the purpose, and any other Government departments concerned, in the initiation and direction of research in relation to matters connected with the powers and duties of the Board of Trade.

(4) His Majesty in Council may by order make such consequential and supplemental provisions as appear necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this Act, including provision for the transfer and vesting of any property, rights, and liabilities held, enjoyed, or incurred by any Government department in connection with any powers or duties transferred, and may make such adaptations in the Acts or regulations relating to such powers or duties as appear necessary to make exerciseable by the Board of Trade the powers and duties so transferred.

(5) Before any Order in Council under this section is made, notice of the proposal to make the order and of the place where copies of a draft of the order can be obtained shall be published in the London, Edinburgh, and Dublin Gazettes, as the case may require, and in such other manner as the Board of Trade think best adapted for ensuring publicity.

(6) An Order in Council under this section may be altered or revoked by a subsequent order.

(7) In connection with the transfer of powers and duties to the Board of Trade by or under this Act, the provision set out in the First Schedule to this Act shall have effect.

Powers of regulating export and price of coal.

3.—(1) During a period of one year after the thirty-first day of August, nineteen hundred and twenty, it shall be lawful for the Board of Trade from time to time to give directions—

(*a*) regulating the export of coal and the supply of coal for the bunkering of vessels; and

(*b*) regulating the pithead price to be charged for coal sold for consumption in the British Islands, and for coal sold for the bunkering of vessels other than vessels proceeding to ports outside the British Islands.

(2) Whilst any such directions are operative it shall be lawful for the Board of Trade also to give directions as to the wages to be paid to workers in coal mines, and by order to regulate the distribution of profits, and any such order shall contain provisions framed on principles similar to the principles on which the provisions of the Coal Mines (Emergency) Act, 1920, are framed, so as to secure, as far as practicable, an equitable distribution as between different collieries:

10 Geo. 5. c. 4.

Provided that before any such order is made a draft thereof shall be laid before both Houses of Parliament, and the order shall not be made unless the draft has been approved by resolution of both Houses of Parliament, nor, if modifications in the draft are agreed to by both Houses, otherwise than as so modified.

(3) If any person exports, sells or supplies, or offers for sale, or attempts to export or supply any coal in contravention of any directions given under this section or otherwise contravenes any such directions, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or, in the case of a contravention of the directions as to the export, supply or price of coal, at the discretion of the court, to a fine not exceeding treble the amount by which the sum paid or payable on any coal exported, supplied or sold by him in contravention of any such directions exceeds the maximum sum which would have been paid or payable for the coal if there had been no such contravention, and any coal which, in contravention of any such directions, is exported, or brought to any place or waterborne to be shipped for exportation or for bunker coal, shall be forfeited under the Customs (Consolidation) Act, 1876, as amended by any subsequent enactment :

39 & 40 Vict. c. 36.

Provided that a prosecution for an offence under this subsection may, notwithstanding anything in any other Act, be instituted at any time within one year of the commission of the offence.

(4) The powers of giving such directions and making such orders as aforesaid may be exercised by the Board of Trade after the expiration of the said one year, till the thirty-first day of March, nineteen hundred and twenty-two, if the exercise of such powers is authorised by a resolution passed by both Houses of Parliament.

(5) An order made under this section shall have effect as from such date (which may be a date earlier than the date of the making of the order) as may be specified in the order, and shall have effect as if enacted in this Act, but may be revoked or varied by a subsequent order.

10 Geo. 5 c. 4.

(6) The Coal Mines (Emergency) Act, 1920, shall continue in force until the date as from which the first order made under this section takes effect, or until the thirty-first day of August, nineteen hundred and twenty-one, whichever may be the earlier; and that Act shall have effect as if in section eleven thereof for the reference to the thirty-first day of August, nineteen hundred and twenty, there were substituted a reference to the date to which the Act is continued by this provision.

(7) The provisions of this section relating to the export of coal shall apply to coke, briquettes, and other solid fuel of which coal or coke is a constituent, in like manner as they apply to coal.

4.—(1) The Board of Trade shall appoint committees for the purpose of giving the Board advice and assistance on matters connected with their powers and duties under this Act relating to coal and the coal industry and to the metalliferous mining industry respectively, and may appoint one or more other committees for the purpose of giving the Board advice and assistance on matters connected with any of their other powers and duties relating to mines and the mining industry, and in appointing members of any committee hereinbefore referred to the Board of Trade shall act after consultation with the various interests concerned. Advisory committees.

(2) The Board of Trade shall refer to an advisory committee for advice any question relating to the powers and duties of the Board relating to mines and the mining industry which appears to the Board of such a nature as to make such reference desirable, and shall take into consideration any representations thereon which may be made to the Board by any such committee.

(3) The advisory committee on coal and the coal industry shall consist of a chairman and twenty-four other persons, of whom—

Four shall be representative of owners of coal mines;
Four shall be representative of workers in or about coal mines;
Three shall be representative of employers in other industries;
Three shall be representative of workers in other industries;
One shall be a mining engineer;
Two shall be agents or managers or under-managers of coal mines holding first class certificates:
One shall be a coal exporter;
One shall be a coal factor or coal merchant;
One shall be a person with experience of commerce other than the production or distribution of coal;
One shall be a person with experience in co-operative trading;
Three shall be persons with expert knowledge of medical or other science.

5.—(1) There shall be paid out of moneys provided by Parliament to the Secretary for Mines an annual salary not exceeding fifteen hundred pounds. Staff remuneration and expenses.

(2) The salaries and remuneration of the officers and servants of the Department of Mines and the expenses of the Department, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament, provided that the total amount of such salaries, remuneration, and expenses shall not in any year exceed two hundred and fifty thousand pounds.

(3) There shall be transferred and attached to the Board of Trade such of the persons employed under any other Government department in or about the execution of the powers and duties transferred by or under this Act to the Board of Trade, as the Board of Trade and the other Government department, with the sanction of the Treasury, may determine.

(4) The Board of Trade may from time to time distribute the business of the department amongst the several persons transferred and attached thereto in pursuance of this Act, in such manner as they may think right, and those officers shall perform such duties in relation to that business as may be directed by the Board of Trade :

Provided that such persons shall be in no worse position as respects the tenure of office, salary, or superannuation allowances than they would have been if this Act had not been passed.

Ability of Secretary for Mines to sit in Parliament.

6. The office of the Secretary for Mines shall not render the holder thereof incapable of being elected to or sitting or voting as a member of the Commons House of Parliament.

PART II.

REGULATION OF COAL MINES.

Pit and district committees, and area and national boards.

7. The Board of Trade shall by regulations provide for the constitution—

(*a*) of a pit committee for every coal mine where a resolution in favour thereof is passed by a majority (to be ascertained by ballot in accordance with the said regulations) of the workers employed in or about the mine, except that it shall not be necessary to constitute a pit committee for any mine which is a small mine within the meaning of the Coal Mines Act, 1911;

1 & 2 Geo 5. c. 50.

(*b*) of a district committee for each of the districts mentioned in Part I. of the Second Schedule to this Act;

(*c*) of an area board for each of the areas mentioned in Part II. of that schedule;

(*d*) of a National Board;

having such functions as may, subject to the provisions of this Act, be prescribed by the regulations, and the procedure and meetings of the several committees and boards shall be such as may be prescribed by the regulations :

Provided that—

(i) where a district is co-extensive with an area, the district committee shall perform the functions of the area board as well as of the district committee;

(ii) districts and areas may be varied by order of the Board of Trade after consultation with the National Board and with the consent of the district committees or area boards affected;

(iii) where a mine situate in one district has, for industrial purposes, been customarily dealt with as if it were a mine situate in an adjoining district, that mine shall, for the purposes of this Part of the Act, if the owner and the workers employed in or about the mine so agree, be treated as being situate in such adjoining district.

Constitution and functions of pit committees.

8.—(1) A pit committee shall not exceed ten in number and shall consist of representatives of the owners and management of the mine appointed by the owners and of workers employed in or about the mine selected by ballot of the workers in accordance with the regulations from amongst their own number, so however that the representatives of the workers shall constitute half of the number of the pit committee.

(2) The functions of a pit committee shall be to discuss and make recommendations with respect to—

(*a*) the safety, health, and welfare of the workers in connexion with their work at the mine;

(*b*) the maintenance and increase of output;

(*c*) reports made on an inspection under section sixteen of the Coal Mines Act, 1911, which reports shall be referred to the committee by the manager;

(*d*) disputes arising in connexion with the mine including disputes as to wages;

(*e*) any other questions and matters relating to the mine which may be prescribed by the regulations.

(3) In the case of a mine for which a pit committee is established the management of the accommodation and facilities for taking baths and drying clothes provided under section seventy-seven of the Coal Mines Act, 1911, shall be under the control of the pit committee instead of that of a committee established in accordance with subsection (5) of that section.

(4) The regulations shall provide for matters which cannot be satisfactorily disposed of by the pit committee being referred to the district committee, or, in the case of questions to which the Coal Mines Act, 1911, applies, to the inspector of the division.

(5) For enabling a pit committee to exercise their functions under paragraphs (*a*) and (*b*) of subsection (2) of this section, the committee shall be entitled to be furnished by the manager of the mine with such relevant informaton as may be necessary for the purpose, and may appoint two of their members, one being a person concerned in the management of the mine and one being a worker, to make periodical inspections of the mine or

any part thereof and to report the result of their inspections to the committee, and the persons so appointed shall have all such facilities for the purpose of making inspections as persons appointed to make inspections under section sixteen of the Coal Mines Act, 1911, and that section shall apply accordingly.

(6) Any recommendations of the pit committee made on any report under section sixteen of the Coal Mines Act, 1911, which has been referred to the committee, and on any other matters to which that Act relates, shall be sent to the inspector of the division by the manager.

Constitution and functions of district committees.

9.—(1) A district committee shall consist of representatives of the owners and management of the coal mines in the district appointed by the owners in accordance with the regulations constituting the committee, and an equal number of representatives of workers employed in or about such mines elected by the workers in accordance with those regulations.

(2) A district committee shall take into consideration—

(*a*) questions affecting the district of the same nature as those which may be the subject of discussion and recommendations by a pit committee;

(*b*) any questions which may be referred to them by a pit committee;

(*c*) any questions which may be referred to them by the area board, or the Board of Trade;

and, if the matter is one proper to be dealt with by the area board rather than by the district committee, they shall refer the matter to the area board, and in any other case they shall deal with the matter themselves and make such recommendations as they think fit, and, if their recommendations are not complied with, they may forward them with a report on the matter to the Board of Trade.

Constitution and functions of area boards.

10.—(1) An area board shall consist of representatives of the owners and management of the coal mines in the area nominated in accordance with the regulations constituting the board by the representatives of the owners and management who are members of the various district committees within the area, and an equal number of representatives of workers employed in or about such mines so nominated by the representatives of workers who are members of the district committees within the area.

(2) The area board shall take into consideration—

(*a*) questions affecting the area of the same nature as those which may be the subject of consideration by a district committee;

(*b*) any questions which may be referred to them by a district committee;

(*c*) any questions which may be referred to them by the National Board or the Board of Trade,

and, if the matter is one proper to be dealt with by the National Board rather than by the area board, in that it raises any question affecting more than one area, they shall refer the matter to the National Board, and in any other case they shall deal with the matter themselves, and make such recommendations as they think fit, and, if their recommendations are not complied with, they may forward them with a report on the matter to the Board of Trade.

(3) An area board shall formulate, at such intervals and on such principles as may be prescribed by the National Board, schemes for adjusting the remuneration of the workers within the area, having regard among other considerations to the profits of the industry within the area, and any such scheme when formulated shall be submitted to the National Board for their approval, and, if approved by that Board, shall be referred to the Board of Trade, and for the purposes of this subsection the owners of mines in the area shall furnish to accountants appointed by the area board such information as they may require in order that they may ascertain for the information of the area board particulars of the output, cost of production, proceeds and profits in the area as a whole:

Provided that no such scheme shall be formulated during the period of the operation of the Coal Mines (Emergency) Act, 1920, or, if the Board of Trade so direct, whilst an order made by the Board of Trade under Part I. of this Act as to the distribution of profits is in force.

(4) The accountant so appointed as aforesaid shall not include in his report or disclose information with respect to any particular undertaking, and, if he does so, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty pounds.

Additional powers of district committees and area boards. 2 & 3 Geo. 5. c. 2.

11. The Board of Trade may by regulations provide for district committees or area boards determining any questions and exercising any powers which before the passing of this Act can be determined or exercised by a conciliation board or by a joint district board constituted under the Coal Mines (Minimum Wage) Act, 1912; and the regulations may provide for the appointment of an independent chairman, with a casting vote, to preside at meetings of any district committee or area board when determining any such question or exercising any such power, and may add to or alter the districts mentioned in the Schedule to the Coal Mines (Minimum Wage) Act, 1912:

Provided that the regulations shall not provide for the appointment of such an independent chairman when the committee or board acts as a conciliation board except in pursuance of an agreement to that effect.

Constitution and functions of National Board.

12.—(1) The National Board shall consist of such number of members as may be prescribed by the regulations, of whom one-half shall be representatives of the owners and management of coal mines throughout the United Kingdom, and one-half shall be representatives of workers employed in or about such mines.

(2) The National Board shall take into consideration—

(*a*) questions, including wages questions, affecting the coal mining industry as a whole;

(*b*) any questions which may be referred to them by an area board;

(*c*) any questions which may be referred to them by the Board of Trade;

and may make recommendations in respect thereof, and may, in any case when their recommendations are not complied with, or in any other case where they think fit, forward their recommendations with a report on the matter to the Board of Trade.

(2) The National Board shall also determine, subject to the approval of the Board of Trade, the principles on which schemes by area boards under this Part of this Act for adjusting the remuneration of workers are to be framed, and shall consider all such schemes when submitted to them for their approval.

Power of Board of Trade to direct compliance with recommendations and schemes.

13. Where any recommendations made by a district committee or area board or by the National Board, or any scheme made by an area board and approved by the National Board, have been forwarded or referred to the Board of Trade as aforesaid, the Board of Trade shall take such recommendations or scheme into consideration, and may, if they think fit, give directions requiring any person engaged in the coal mining industry to comply therewith, and it shall be the duty of every person to whom those directions apply to comply therewith, and if any such person fails to do so he shall be guilty of an offence against the Coal Mines Act, 1911:

Provided that, where the recommendations relate to matters within the scope of the authority of some other Government department, the Board of Trade before giving any such directions as aforesaid shall obtain the approval of that other department.

Meaning of recommendation.

14. For the purpose of the foregoing provisions of this Part of this Act, the expression "recommendation" means a recommendation approved by a majority of the representatives of the owners and management present at the meeting at which the recommendation was passed, and by a majority of the representatives of the workers so present.

Fees to members and expenses of pit committees.

15. There shall be paid to the members of pit committees such fees for attendance at meetings thereof as may be prescribed by the regulations, and such payments, together with any expenses incurred in accordance with the regulations by such committees in the discharge of their functions shall be payable by the owner of the mine as part of the working expenses of the mine.

16. The provisions of sections eighty-six and one hundred and seventeen of, and Part I. of the Second Schedule to, the Coal Mines Act, 1911, which relate to general regulations shall apply with the necessary modifications to regulations under this Part of this Act. Provisions as to regulations under Part II.

17. If at the expiration of one year from the passing of this Act it appears to the Board of Trade that the scheme of this Part of the Act has been rendered abortive by reason of the failure on the part of those entitled to appoint representatives as members of the pit and district committees, area boards, and the National Board to avail themselves of such right, the Board of Trade shall issue a report of the circumstances, and that report shall be laid before Parliament, and at the expiration of thirty days during the session of Parliament from the date when it is so laid all the provisions of this Part of this Act shall cease to have effect unless in the meantime a resolution to the contrary is passed by both Houses of Parliament. Cessation of Part II. in certain eventualities.

PART III.

GENERAL.

18.—(1) It shall be lawful for the Board of Trade after consultation with the district committee or committees concerned, or holding such other inquiry as they may think fit, to make schemes with respect to any group of mines as to the drainage thereof, and as to the apportionment as between the owners of the mines in question of any expenditure for a common purpose that may be required by any such scheme, and any such scheme may amend or repeal any local Act of Parliament in connexion with such drainage. Schemes as to drainage.

(2) For this purpose the Board of Trade may adopt with or without modifications any scheme relating to the drainage of any group of mines proposed by all or any of the owners of such mines.

(3) The provisions of sections eighty-six and one hundred and seventeen of, and Part I. of the Second Schedule to, the Coal Mines Act, 1911, which relate to general regulations shall apply with the necessary modifications to schemes under this section:

Provided that before any scheme involving the amendment or repeal of any local Act of Parliament comes into force it shall be laid before each House of Parliament for a period of not less than fourteen days during which that House is sitting, and, if either House before the expiration of that period presents an address to His Majesty against the scheme or any part thereof, no further proceedings shall be taken thereon without prejudice to the making of any new scheme.

19.—(1) The provisions of sections eighty-six, eighty-seven, and one hundred and seventeen of, and the Second Schedule to, Power to make general and special

regulations with respect to metalliferous mines.

the Coal Mines Act, 1911 (which relate to the making of general and special regulations), shall apply to metalliferous mines within the meaning of the Metalliferous Mines Regulation Acts, 1872 to 1875, as if they were re-enacted in those Acts and in terms made applicable to those mines but with this modification, that in the said section eighty-six for the reference to Part II. of, or the Third Schedule to, the Coal Mines Act, 1911, there shall be substituted a reference to the general rules contained in section twenty-three of the Metalliferous Mines Regulation Act, 1872.

35 & 36 Vict. c. 77.

38 & 39 Vict c. 39.

(2) For the purposes of the Metalliferous Mines Regulation Acts, 1872 and 1875, the expression "mine" does not include any part of the premises on which any manufacturing process, other than a process ancillary to the getting, dressing, or preparation for the sale of minerals is carried on.

Establishment of fund for improvement of social conditions of colliery workers.

20.—(1) There shall be constituted a fund to be applied for such purposes connected with the social well-being, recreation, and conditions of living of workers in or about coal mines and with mining education and research as the Board of Trade, after consultation with any Government Department concerned, may approve.

(2) The owners of every coal mine shall, before the thirty-first day of March, nineteen hundred and twenty-one, and before the same day in each of the subsequent five years, pay into the said fund a sum equal to one penny a ton of the output of the mine during the previous calendar year, and the sums so payable in respect of any mine shall be defrayed as part of the working expenses of the mine and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt:

Provided that in the case of the first payment the amount shall be calculated with reference to the output during the six calendar months ending the thirty-first day of December, nineteen hundred and twenty.

(3) The duty of allocating the money from time to time standing to the credit of the said fund to the several purposes aforesaid shall be vested in a committee consisting of five persons, appointed by the Board of Trade, of whom one shall be appointed by the Board of Trade after consultation with the Mining Association of Great Britain, and another after consultation with the Miners' Federation of Great Britain. The committee shall have the assistance of three assessors appointed by the Minister of Health, the Board of Education and the Secretary for Scotland respectively; the assessors shall have the right of attending meetings of the committee and of taking part in the deliberations thereof, but not of voting; and different persons may be appointed by the above-mentioned departments to act as assessors in relation to different matters:

Provided that the Committee shall take into consideration any scheme submitted by a district committee, and that before allocating any money for a local purpose they shall consult with the district committee (if any) concerned; and that the Committee shall allocate for the benefit of the several districts mentioned in Part I. of the Second Schedule to this Act sums equal to four-fifths of the contributions from the owners of coal mines in those districts respectively.

(4) The committee may invite a local authority to submit a scheme for any of the purposes to which the fund may be applied, and, if such scheme be approved by the committee, they may make such grants in aid to the said local authority out of the fund and upon such conditions as may seem to them desirable:

Provided that in no case shall any grant be made out of the fund for the building or repairing of dwelling-houses.

(5) Where money is allocated for the purpose of meeting the cost, in whole or in part, of providing accommodation and facilities at a coal mine for the workmen taking baths and drying clothes, and such accommodation and facilities are so provided, section seventy-seven of the Coal Mines Act, 1911, shall apply as if such accommodation and facilities had been provided under that section:

Provided that—

(*a*) cost of maintenance shall not be deemed to include any interest on capital expenditure so far as that expenditure was met out of money allocated from this fund; and

(*b*) the contribution of the workmen to the cost of maintenance shall be reduced by the proportion which the money so allocated from the fund bears to the total capital expenditure.

(6) Payments out of and into the fund, and all other matters relating to the fund, and moneys standing to the credit of the fund (including temporary investments thereof) shall be made and regulated in such manner as the Board of Trade, subject to the approval of the Treasury, may direct.

(7) The Board of Trade shall in each year cause an account to be prepared and transmitted to the Comptroller and Auditor-General for examination showing the receipts into and issues out of the said fund in the financial year ended the thirty-first day of March preceding, and the Comptroller and Auditor-General shall certify and report upon the same, and such account and report shall be laid before Parliament.

Accounts, statistics, returns, &c.

21.—(1) It shall be the duty of the owners, agents, and managers of any mine, and any other persons engaged in the mining industry, to furnish to the Board of Trade, in such

manner and form as the Board may direct, such accounts, statistics, returns, plans and other information as the Board may require for the purpose of their powers and duties under this Act.

(2) No information with respect to any particular undertaking shall be included in any published report, unless the owner of the undertaking so agrees, and any person who may obtain any such information under this section shall be required to make a declaration of secrecy in such form as may be prescribed by the Board of Trade and any person who acts in contravention of any declaration which he has so made shall be guilty of a misdemeanour and on conviction be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine not exceeding one hundred pounds, or to both imprisonment and a fine.

Power to hold inquiries.

22.—(1) The Board of Trade may hold such inquiries as they consider necessary or desirable for the purposes of this Act, and the Board of Trade and, if authorised by the Board of Trade, the person appointed to hold any such inquiry, may, by order, require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence, or to produce any documents in his possession or power which relate to any matter in question at the inquiry, and are such as would be subject to production in a court of law, and, if any person fails without reasonable excuse to comply with any of the provisions of any such order, he shall be liable on summary conviction to a fine not exceeding five pounds, and the person holding the inquiry shall have power to take evidence on oath and for that purpose to administer oaths.

(2) Notices of inquiries may be given and published in accordance with such general or special directions as the Board of Trade may give.

(3) The powers of the Board of Trade under this section shall be in addition to and not in derogation of any powers of holding inquiries transferred to the Board from any other Government department under this Act.

Inter-departmental arrangements.

23. The Board of Trade and any other Government department may make arrangements for the exercise and performance by such other Government department or by the Board of Trade of any of the powers and duties of the Board of Trade or such other Government department relating to mines and the mining industry which appear to them to be such as could be more conveniently so exercised and performed, and in such case such other Government department and their officers, or the Board of Trade and their officers, as the case may be, shall have all the powers and duties for such purpose

as are exerciseable by the Board of Trade and their officers or such other department and their officers.

24. The Price of Coal (Limitation) Act, 1915, shall be repealed as from the first day of September, nineteen hundred and twenty. Repeal of 5 & 6 Geo. 5. c. 75.

25. For the purposes of this Act, unless the context otherwise requires,— Interpretation.

The expressions "owner" and "agent" have the same meanings as in the Coal Mines Act, 1911, or the Metalliferous Mines Regulation Act, 1872, as the case may require:

The expression "management" in relation to a coal mine includes the agent, manager, under managers, technical and administrative staff, officials, and deputies, firemen and examiners of the mine:

The expressions "mines" and "the mining industry" include, respectively, quarries and the quarrying industry:

The expression "output" in relation to a coal mine means the tonnage in saleable coal raised and weighed at the pithead.

26. This Act may be cited as the Mining Industry Act, 1920. Short title.

SCHEDULES.

FIRST SCHEDULE. Section 2.

TRANSITORY PROVISIONS.

1. In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer to the Board of Trade from any other Government department of any powers or duties by or under this Act, but so far only as may be necessary for the purpose or in consequence of such transfer, the name of the Board of Trade shall be substituted for the name of the other Government department or any officer thereof.

2. Where anything has been commenced by or under the authority of any other Government department before the transfer to the Board of Trade of any powers or duties by or under this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Board of Trade.

3. Where at the time of the transfer of any powers or duties by or under this Act any legal proceeding is pending to which any Government department is a party, and such proceeding has reference to the powers and duties transferred by or under this Act, the Board of Trade shall be substituted in such proceeding for the other Government department, and such proceeding shall not abate by reason of the substitution.

Sections 7 and 20.

SECOND SCHEDULE.

PART I.

COAL DISTRICTS.

Name of Districts.	Counties or parts of Counties included.
1. Fife and Clackmannan	Counties of Fife, Clackmannan, Kinross, and Sutherland.
2. The Lothians	Counties of Midlothian and Haddington.
3. Lanarkshire	Counties of Linlithgow, Lanark, Renfrew, Dumbarton, and Stirling.
4. Ayrshire	Counties of Ayr, Dumfries, Argyll.
5. Northumberland	County of Northumberland.
6. Durham	County of Durham.
7. Cumberland	Counties of Cumberland and Westmorland.
8. Lancashire and Cheshire	Counties of Lancashire and Cheshire.
9. North Wales	Counties of Denbigh and Flint.
10. South Yorkshire	South Yorkshire coalfield.
11. West Yorkshire	West Yorkshire coalfield.
12. Nottinghamshire	County of Nottingham.
13. Derbyshire	County of Derby, exclusive of the South Derbyshire coalfield.
14. South Derbyshire	South Derbyshire coalfield.
15. North Staffordshire	North Staffordshire coalfield.
16. Cannock Chase	Cannock Chase coalfield.
17. South Staffordshire and Worcestershire.	South Staffordshire coalfield, and County of Worcester.
18. Leicestershire	Leicestershire coalfield.
19. Warwickshire	County of Warwick.
20. Shropshire	County of Shropshire.
21. Forest of Dean	Forest of Dean coalfield.
22. Somerset	County of Somerset.
23. Bristol	Bristol coalfield.
24. South Wales	Counties of Monmouth, Glamorgan, Pembroke, Carmarthen, and Brecon.
25. Kent	County of Kent.
26. Ireland	All Counties in Ireland.

PART II.

COAL AREAS.

Name of Areas.	Coal Districts included.
1. Scotland	Fife and Clackmannan, The Lothians, Lanarkshire, and Ayrshire.
2. Northumberland	Northumberland.
3. Durham	Durham.
4. Midlands	Cumberland, Lancashire and Cheshire, North Wales, South Yorkshire, West Yorkshire, Nottinghamshire, Derbyshire, South Derbyshire, North Staffordshire, Cannock Chase, South Staffordshire and Worcestershire, Leicestershire, Warwickshire, Shropshire.
5. Southern	Forest of Dean, Somerset, Bristol, and Kent.
6. South Wales	South Wales.
7. Ireland	Ireland.

CHAPTER 51.

An Act to make provision with respect to the administration of the estates of the Duchy of Lancaster, and with respect to the solicitor for the affairs of the said Duchy. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of powers of investment of funds of Duchy of Lancaster. 18 & 19 Vict. c. 58. 56 & 57 Vict. c. 53.

1. Any funds for the time being belonging to the Duchy of Lancaster may, notwithstanding anything in the Duchy of Lancaster (Lands) Act, 1855, whether in a state of investment or not, be invested in any of the investments specified in paragraph (*a*) of section one of the Trustee Act, 1893, and any enactment amending or extending that paragraph and any investments made in pursuance of this section shall be made in the names of at least three persons to be nominated by the chancellor and council of the said Duchy upon such trusts and in such manner as may be directed by the said chancellor and council.

Mining leases. 1 Anne, c. 1.

2.—(1) The chancellor and council of the Duchy of Lancaster shall, notwithstanding anything in the Crown Lands Act,

1702, or in any other enactment, have power to grant mining leases for a term of years not exceeding ninety-nine years.

(2) The powers conferred by this section shall be in addition to and not in derogation of any other powers of the said chancellor and council.

(3) In this section the expression "mining lease" means a lease for any purpose connected with mining, and includes a grant or licence for any such mining purpose.

Provisions as to the Duchy solicitor.

3.—(1) The person for the time being holding the office of solicitor for the affairs of the Duchy of Lancaster (in this Act referred to as "the Duchy solicitor") shall be a corporation sole by the name of "The solicitor for the affairs of the Duchy of Lancaster," and by that name shall have perpetual succession with a capacity to acquire and hold in that name real and personal property of every description, to execute deeds, using an official seal, to enter into engagements binding on himself and his successors in office, and to do all other acts necessary or expedient to be done in the execution of the duties of his office.

(2) Any document purporting to be sealed with the said official seal shall be receivable in evidence of the particulars stated in that document.

(3) Where, by reason of His Majesty having become entitled in right of the Duchy of Lancaster to the personal estate of an intestate or otherwise, any court has power to grant administration of the personal estate of any deceased person to a nominee of His Majesty, sections two, six and seven of the Treasury Solicitor Act, 1876, shall apply as if herein re-enacted and in terms made applicable to this Act, and to the Duchy solicitor, and to property to which His Majesty is entitled in right of the Duchy of Lancaster.

39 & 40 Vict. c. 18.

(4) An assistant solicitor for the affairs of the Duchy of Lancaster may, on behalf of the Duchy solicitor, do all such things as an assistant solicitor for the affairs of His Majesty's Treasury is authorised by section three of the Act aforesaid to do on behalf of the Treasury solicitor, and that section, with the necessary adaptations, shall apply accordingly.

Short title, construction, and repeals

4.—(1) This Act may be cited as the Duchy of Lancaster Act, 1920, and shall be construed as one with the Duchy of Lancaster Lands Act, 1855.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULE.

Section 4.

ENACTMENTS REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
15 & 16 Vict. c. 3.	An Act to provide for the administration of the personal estate of intestates and others, to which Her Majesty may be entitled in right of Her prerogative or in right of Her Duchy of Lancaster.	So much of the Act as is re-enacted by proviso (1) to section nine of the Treasury Solicitor Act, 1876.
39 & 40 Vict. c. 18.	The Treasury Solicitor Act, 1876.	Proviso (1) of section nine.

CHAPTER 52.

An Act to prevent the writing, printing, publishing, or circulating in the United Kingdom of Advertisements, Circulars, or Coupons of any Ready Money Football Betting Business. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Penalties.

1. Any person who in the United Kingdom writes, prints, publishes, or knowingly circulates any advertisement, circular, or coupon of any ready money football betting business, whether such business is carried on in the United Kingdom or elsewhere, or who knowingly causes or procures, or attempts to cause or procure, any of those things to be done, or knowingly assists therein, shall be liable on summary conviction to a fine not exceeding twenty-five pounds or, in default of payment, imprisonment for not exceeding one month, or, in case of a second or

subsequent conviction, to a fine not exceeding one hundred pounds or imprisonment for not exceeding three months.

Definition.

2. "Ready money football betting business" shall mean any business or agency for the making of ready money bets or wagers, or for the receipt of any money or valuable thing as the consideration for a bet or wager in connection with any football game.

Application to Scotland. 50 & 51 Vict. c. 35.

3. In Scotland "indictment" has the same meaning as in the Criminal Procedure (Scotland) Act, 1887; and, in the event of an offender failing to make payment of a fine imposed under section one of this Act, he shall be liable to imprisonment in accordance with the provisions of the Summary Jurisdiction Acts.

An offence prosecuted summarily under this Act may be tried before the sheriff or before any magistrate of any royal, parliamentary, or police burgh officiating under the provisions of any local or general Police Act.

Application to Ireland.

4. In Ireland where, in pursuance of this Act, an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month.

Short title and commencement.

5. This Act shall come into operation on the second day of August, one thousand nine hundred and twenty, and may be cited as the Ready Money Football Betting Act, 1920.

CHAPTER 53.

An Act to provide for the qualification of and manner of enrolling Women as Jurors in Scotland.

[16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments relating to qualifications, &c. of

1.—(1) The enactments relating to the qualification of jurors and the manner of making up any roll or list of persons who are qualified and liable to serve as jurors in Scotland shall apply

to women in like manner as they apply to men : provided always that the names and designations of men and women shall be entered in the general and the special jury books and in the Sheriff Court jury books in separate lists, and that any provision in any enactment relating to the lists or the number of jurors to be entered in any such book shall be construed as referring to such separate lists. Jurors to apply to women.

(2) Notwithstanding anything in any enactment, new lists of jurors shall be prepared and come into use in every county within six months after the passing of this Act, and new lists shall be from time to time prepared according to the existing law and practice as amended and applied by this Act.

2. Without prejudice to the powers conferred by section one of the Sex Disqualification (Removal) Act, 1919, the High Court of Justiciary by Act of Adjournal and the Court of Session by Act of Sederunt may make any regulations necessary to carry this Act into effect as regards criminal and civil jury trials respectively, and may by such regulations adapt the provisions of any enactment so as to make them conform with this Act. Power to High Court of Justiciary and Court of Session to make regulations.

3. The enactment specified in the schedule to this Act shall be repealed to the extent specified in the third column of that schedule. Repeal.

4. This Act may be cited as the Jurors (Enrolment of Women) (Scotland) Act, 1920. Short title.

SCHEDULE.

Section 3.

Session and Chapter.	Short Title.	Extent of Repeal.
6 Geo. 4. c. 22.	The Jurors (Scotland) Act, 1825.	In section one, the words "or in the right of his wife" and the words "or her."

CHAPTER 54.

An Act to amend the Law with respect to the Sale and Use of Seeds for sowing and of Seed Potatoes and to provide for the testing thereof. [16th August 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Delivery of particulars on sale of seeds and seed potatoes.

1.—(1) Every person who sells any seeds to which this Act applies or any seed potatoes, shall, on or before the sale, or if the goods are not delivered at the time of sale on or before delivery thereof, deliver to the purchaser a statement in writing containing the prescribed particulars with respect, in the case of seeds, to their variety, purity and germination, and in the case of seed potatoes, to their class, variety, size and dressing, and, in either case, to any other prescribed matters.

(2) Every person who exposes for sale any seeds to which this Act applies, or any seed potatoes, shall cause to be displayed conspicuously on or in close proximity to the seeds or potatoes, as the case may be, a statement in writing containing such particulars as are required to be contained in the statement to be delivered under this section to a purchaser.

(3) The statement required to be delivered under this section to a purchaser shall be contained in a sale note or invoice or be attached to, inserted in, or written on, the package containing the seeds, or seed potatoes, as the case may be.

(4) For the purposes of this section, a statement in writing referring specifically to a printed price list or printed catalogue containing the prescribed particulars shall be deemed to contain those particulars.

(5) The particulars to be contained in a statement to be delivered under this section to a purchaser of seeds shall, so far as they are particulars relating to the purity and germination of the seeds, be particulars ascertained on a test of those seeds made in accordance with the provisions of this Act.

(6) Every statement relating to seeds which is delivered or displayed under this section must specify that the seeds have been tested in accordance with the provisions of this Act.

(7) The Minister may, by licence granted subject to and in accordance with regulations made under this Act, exempt any

person as respects any sale or any exposure for sale of seeds or seed potatoes from compliance with the requirements of this section, and any such exemption may be granted either absolutely or subject to compliance with any conditions specified in the licence.

Provisions as to tests.

2.—(1) A test of seeds for the purpose of the preceding section shall, in the case of seeds other than garden seeds, be made either at one of the official seed testing stations established under this Act or at some testing station licensed by the Minister, and, in the case of garden seeds, be made either as aforesaid or in any other sufficient manner.

(2) Where seeds are sold or delivered or exposed for sale at any time other than some time within the months of August or September, a test for the purpose of the preceding section shall be a test made not earlier than the first day of the month of August last preceding, and, where seeds are sold and delivered or exposed for sale at any time within the months of August or September, the test shall be a test made not earlier than the first day of the month of August in the previous year.

Prohibition of sale or use of seeds containing injurious weed seeds.

3. It shall not be lawful for any person to sell or expose for sale or knowingly to sow any seeds, being seeds to which this Act applies, which contain more than the prescribed percentage of the seeds of any prescribed injurious weeds.

Power to enter and take samples.

4.—(1) Any person, whether an officer of the Ministry or not, duly authorised by the Minister in that behalf may, upon production if so required of his authority, at all reasonable hours, enter any premises where seeds to which this Act applies or seed potatoes are sold or exposed for sale or stored for purposes of sale without further recleaning, blending, or grading, and may without payment take samples of the seeds or seed potatoes for testing, and the owner thereof shall on demand deliver to the person taking the samples a statement containing such particulars with respect thereto as are required to be contained in the statement to be delivered upon a sale of seeds or seed potatoes, as the case may be, under this Act.

(2) A person taking a sample of seeds under this section shall divide the sample into two parts and shall cause each part to be marked, sealed, and fastened up, and shall deliver or tender one part to the owner of the seeds and shall deliver or send by post to the chief officer of the official testing station the other part of the sample for the purpose of its being there tested.

(3) A certificate in the prescribed form of the result of any test of a sample sent to the official testing station under this section shall be issued in the prescribed manner, and a copy of

every certificate so issued shall, as soon as it has been issued, be sent to the owner of the seeds.

(4) Every certificate issued as aforesaid shall, in any proceedings against the owner of the seeds, be conclusive evidence of the facts stated in the certificate unless the owner within fourteen days from the date on which the copy is received by him gives notice in writing to the chief officer at the official testing station requiring that further portions of the sample should be tested both at that testing station and at some other official testing station.

(5) Where any seeds of which a sample has been tested under this section were purchased by the owner thereof from any other person, and it appears to the Minister from the certificate of the result of the test that the seeds in some material respect fail to correspond with the particulars contained in the statement delivered to the owner under this Act on the sale to him of the seeds, the owner shall, on application in writing made to him in that behalf by the Minister at any time after the test has been completed, furnish to the Minister the name and address of the person from whom he purchased the seeds, together with a copy of the statement so delivered, and the Minister shall, on being furnished with the said name and address, cause to be sent to the seller in a sealed packet a part of the sample of the seeds, together with a copy of the certificate, and the certificate shall, in any proceedings against the seller, be conclusive evidence of the facts stated in the certificate:

Provided that, where the sample has not been tested at two official testing stations, the seller shall have the same right as the owner to require that further portions of the sample shall be so tested.

(6) Where further portions of a sample are tested in pursuance of the foregoing provisions of this section and the certificates issued by the two official testing stations differ, the average of the results of the two tests shall be deemed the result of the test within the meaning of this Act, and a certificate by the Minister as to the average of the results of the two tests shall be conclusive evidence of the facts stated in the certificate.

Exemptions.

5.—This Act shall not apply—

(*a*) to a sale of seeds to a person purporting to purchase them with a view to cleaning them before they are sold or exposed for sale; or

(*b*) to a sale of seeds where the purchaser at the time of the sale gives to the seller an undertaking in writing that he will before selling or exposing the seeds for sale test or cause them to be tested, or that he will

not resell the seeds to a seed merchant except on a similar undertaking by the purchaser; or

(*c*) to a sale of seeds or seed potatoes for delivery outside the United Kingdom; or

(*d*) to a sale or exposure for sale of seeds or seed potatoes not to be used for sowing or planting.

Presumption of correctness of statement for purposes of civil proceedings.

6.—(1) For the purpose of any legal proceedings on a contract for the sale of seeds, being a sale to which this Act applies, the particulars contained in the statement delivered in pursuance of this Act on the sale shall be deemed to be true unless it is made to appear on a test made subject to the provisions of this section that the particulars were untrue and, in the case of particulars relating to purity or germination, that the actual percentage of purity or germination differs from the percentage appearing in the particulars by more than the prescribed limit of variation.

(2) If the purchaser of any seeds desires that a test thereof should be made for the purposes of this section, he may, at any time within ten days of the date of the delivery thereof to him, take a sample thereof at the place at which the seeds were delivered, whether his own premises or elsewhere, and shall divide the sample so taken into two parts, of which one part shall be sent to the chief officer of the official testing station for the purpose of being there tested, and the other part shall be delivered or tendered to the seller.

Regulations.

7.—(1) The Minister may, after consultation with representatives of the interests concerned (and, as respects forest tree seeds, after consultation also with the Forestry Commissioners), make regulations generally for the purpose of carrying this Act into effect and in particular and without prejudice to the generality of the foregoing provisions for prescribing—

(*a*) the seeds, whether agricultural, vegetable or forest tree, to which this Act is to apply:

(*b*) the manner in which samples are to be taken and dealt with;

(*c*) any matter which under this Act is to be prescribed.

(2) Every regulation made under this Act shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent thirty days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Penalties.

8.—(1) If any person—

(*a*) fails to comply with or acts in contravention of any provision of this Act or any undertaking given by him under this Act or any condition attached to any exemption granted under this Act; or

(*b*) makes or causes to be made any statement required to be delivered or displayed under this Act which is false in any material particular;

he shall, without prejudice to any civil liability, be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds, and in the case of a second or subsequent offence ten pounds.

(2) A person shall not be liable to be convicted on a charge of making or causing to be made a statement which is false in any material particular, if he proves that the particulars alleged to be false were particulars ascertained on a test made in accordance with the provisions of this Act of a sample of the seeds with respect to which the statement was made, or in a case where the particulars alleged to be false are particulars relating to the purity or germination of the seeds, that the actual percentage of purity or germination does not differ from the percentage specified in the statement by more than the prescribed limit of variation.

Penalties for obstruction.

9. If any person obstructs or impedes in the execution of his duties under this Act any person authorised to enter any premises for the purposes of this Act, he shall be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds, and in the case of a second or subsequent offence ten pounds.

Penalty for tampering.

10. If any person—

(*a*) tampers with any seeds or seed potatoes so as to procure that any sample taken under this Act does not correctly represent the bulk of the seeds or seed potatoes; or

(*b*) otherwise tampers with any sample taken under this Act; or

(*c*) with intent to deceive sends or causes or allows to be sent to any testing station or person, to be tested for the purpose of this Act, a sample of seeds which to his knowledge does not correctly represent the bulk of the seeds;

he shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months.

Legal proceedings.

11.—(1) Proceedings for an offence under this Act shall be instituted only by the Minister.

(2) For the purpose of any proceedings for an offence under this Act, the offence may be treated as having been committed either at the place at which it was actually committed or at the place in which the person charged with the offence is for the time being resident, and every court of summary jurisdiction shall have power to hear and determine proceedings for any such offence accordingly.

Establishment of official seed testing stations.

12.—(1) Subject to the provisions of this section, the Minister, the Board of Agriculture for Scotland, and the Department of Agriculture and Technical Instruction for Ireland (in this section referred to as "the Agricultural Departments") shall, either alone or in conjunction with any other bodies or persons, establish and maintain official seed testing stations for England and Wales, Scotland, and Ireland respectively:

Provided that the Agricultural Departments or the Agricultural Departments for any two parts of the United Kingdom may, if they think fit, unite in establishing and maintaining, on such terms as may be agreed between them, a common official seed testing station for the whole of the United Kingdom or for those two parts, as the case may be, and in the event of a common official testing station being established for the whole of the United Kingdom this Act shall have effect as though the provisions thereof enabling a person to require a further test at a second official testing station were omitted therefrom.

(2) In this Act the expression "the official testing station" means as respects any part of the United Kingdom the official seed testing station established and maintained for that part of the United Kingdom, whether alone or in common with some other part or the other parts of the United Kingdom.

Expenses.

13. Any expenses incurred by the Minister, the Board of Agriculture for Scotland, or the Department of Agriculture and Technical Instruction for Ireland, in carrying this Act into execution shall, up to an amount approved by the Treasury, be defrayed out of moneys provided by Parliament.

Interpretation.

14. In this Act, unless the context otherwise requires—

The expression "the Minister" means the Minister of Agriculture and Fisheries, and the expression "the Ministry" means the Ministry of Agriculture and Fisheries;

The expression "owner" in relation to seeds or seed potatoes includes any person having possession thereof.

Application to Scotland.

15. This Act in its application to Scotland shall have effect subject to the following modifications :—

(*a*) References to " the Minister " and " the Ministry " shall, unless the context otherwise requires, be construed as references to the Board of Agriculture for Scotland :

(*b*) Proceedings for an offence under this Act may be instituted either by the Board of Agriculture for Scotland or by the Procurator-Fiscal.

Application to Ireland.

16. This Act in its application to Ireland shall have effect subject to the following modifications :—

(*a*) The provisions of this Act relating to the exposure for sale of seeds and seed potatoes (other than provisions prohibiting the exposure for sale of seeds containing more than the prescribed percentage of the seeds of any prescribed injurious weeds), shall not apply :

(*b*) The provisions of this Act relating to the sale of seeds and seed potatoes (other than provisions prohibiting the sale of seeds containing more than the prescribed percentage of the seeds of any prescribed injurious weeds), shall not apply as respects any sale which is completed by the acceptance in Ireland of an offer made in Ireland :

Provided that an offer made or accepted in Ireland by a person acting as agent for a disclosed principal in Great Britain shall not be treated for the purposes of this provision as an offer made or accepted in Ireland :

(*c*) The provisions of this Act relating to the sowing of seeds containing more than the prescribed percentage of the seeds of any prescribed injurious weed shall not apply :

(*d*) References to " the Minister " and " the Ministry " shall, unless the context otherwise requires, be construed as references to the Department of Agriculture and Technical Instruction for Ireland.

Short title and commencement.

17.—(1) This Act may be cited as the Seeds Act, 1920.

(2) This Act shall come into operation on the first day of August, nineteen hundred and twenty-one.

CHAPTER 55.

An Act to make exceptional provision for the Protection of the Community in cases of Emergency.

[29th October 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of proclamations of emergency.

1.—(1) If at any time it appears to His Majesty that any action has been taken or is immediately threatened by any persons or body of persons of such a nature and on so extensive a scale as to be calculated, by interfering with the supply and distribution of food, water, fuel, or light, or with the means of locomotion, to deprive the community, or any substantial portion of the community, of the essentials of life, His Majesty may, by proclamation (hereinafter referred to as a proclamation of emergency), declare that a state of emergency exists.

No such proclamation shall be in force for more than one month, without prejudice to the issue of another proclamation at or before the end of that period.

(2) Where a proclamation of emergency has been made the occasion thereof shall forthwith be communicated to Parliament, and, if Parliament is then separated by such adjournment or prorogation as will not expire within five days, a proclamation shall be issued for the meeting of Parliament within five days, and Parliament shall accordingly meet and sit upon the day appointed by that proclamation, and shall continue to sit and act in like manner as if it had stood adjourned or prorogued to the same day.

Emergency regulations.

2.—(1) Where a proclamation of emergency has been made, and so long as the proclamation is in force, it shall be lawful for His Majesty in Council, by Order, to make regulations for securing the essentials of life to the community, and those regulations may confer or impose on a Secretary of State or other Government department, or any other persons in His Majesty's service or acting on His Majesty's behalf, such powers and duties as His Majesty may deem necessary for the preservation of the peace, for securing and regulating the supply and distribution of food, water, fuel, light, and other necessities, for maintaining the means of transit or locomotion, and for any other purposes essential to the public safety and the life of the community, and may make such provisions incidental to the powers aforesaid as may appear to His Majesty to be required for making the exercise of those powers effective:

Provided that nothing in this Act shall be construed to authorise the making of any regulations imposing any form of compulsory military service or industrial conscription:

Provided also that no such regulation shall make it an offence for any person or persons to take part in a strike, or peacefully to persuade any other person or persons to take part in a strike.

(2) Any regulations so made shall be laid before Parliament as soon as may be after they are made, and shall not continue in force after the expiration of seven days from the time when they are so laid unless a resolution is passed by both Houses providing for the continuance thereof.

(3) The regulations may provide for the trial, by courts of summary jurisdiction, of persons guilty of offences against the regulations; so, however, that the maximum penalty which may be inflicted for any offence against any such regulations shall be imprisonment with or without hard labour for a term of three months, or a fine of one hundred pounds, or both such imprisonment and fine, together with the forfeiture of any goods or money in respect of which the offence has been committed: Provided that no such regulations shall alter any existing procedure in criminal cases, or confer any right to punish by fine or imprisonment without trial.

(4) The regulations so made shall have effect as if enacted in this Act, but may be added to, altered, or revoked by resolution of both Houses of Parliament or by regulations made in like manner and subject to the like provisions as the original regulations; and regulations made under this section shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

56 & 57 Vict. c. 66.

(5) The expiry or revocation of any regulations so made shall not be deemed to have affected the previous operation thereof, or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention or failure to comply therewith, or any proceeding or remedy in respect of any such punishment or penalty.

Short title and application.

3.—(1) This Act may be cited as the Emergency Powers Act, 1920.

(2) This Act shall not apply to Ireland.

CHAPTER 56.

An Act to authorise the Enfranchisement of the Sites of Places of Worship held under Lease.

[3rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Right of trustees holding leasehold interest in place of worship to acquire freehold.

1.—(1) Where premises held under a lease to which this Act applies are held upon trust to be used for the purposes of a place of worship, whether in conjunction with other purposes or not, and the premises are being used in accordance with the terms of the trust, the trustees, notwithstanding any agreement to the contrary (not being an agreement against the enlargement of the leasehold interest into a freehold contained in a lease granted or made before the passing of this Act), shall have the right as incident to their leasehold interest to enlarge that interest into a fee simple, and for that purpose to acquire the freehold and all intermediate reversions:

Provided that—

(*a*) if the premises exceed two acres in extent, the trustees shall not be entitled to exercise the right in respect of more than two acres thereof; and

(*b*) this Act shall not apply where the premises are used or are proposed to be used for the purposes of a place of worship in contravention of any covenant contained in the lease under which the premises are held or in any lease superior thereto; and

(*c*) this Act shall not apply where the premises form part of land which has been acquired by or is vested in any municipal, local or rating authority or in the owners thereof for the purposes of a railway, dock, canal or navigation under any Act of Parliament Provisional Order or Order having the force of an Act of Parliament and the freehold reversion in the premises is held or retained by such owners for those purposes.

(2) The leases to which this Act applies are leases (including underleases and agreements for leases or underleases), whether granted or made before or after the passing of this Act, for lives or a life or for a term of years where the term as originally created was a term of not less than twenty-one years, whether determinable on a life or lives or not.

Procedure for acquisition of re-

2. For the purpose of acquiring such reversionary interests as aforesaid, the Lands Clauses Acts shall apply as if the trustees

reversionary interests. 8 & 9 Vict. c. 20.

had been authorised to acquire the premises by a special Act incorporating the Lands Clauses Acts and sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, subject, however, to the modifications set out in the Schedule to this Act, and to the following modifications :—

(*a*) All questions of disputed compensation shall be settled by a single arbitrator, who shall be appointed, and whose remuneration shall be fixed, in default of agreement, by the judge of the county court, and the arbitrator shall be deemed to be an arbitrator within the meaning of the Lands Clauses Acts, and the provisions of those Acts with respect to arbitration shall, subject to the provisions of this Act, apply accordingly :

(*b*) The consideration payable in respect of any intermediate reversion may, at the option of the person entitled to that reversion, be an annual rentcharge for a term corresponding to the unexpired residue of the term of the reversion :

(*c*) In determining the amount of any compensation the value of any buildings erected, or improvements made by the trustees, shall be excluded :

(*d*) No allowance shall be made on account of the acquisition being compulsory :

(*e*) In determining the amount of compensation in any case where the rent reserved under the lease is less than the full annual value of the land, the compensation, so far as it is payable in respect of the interest of the lessor expectant on the expiration of the term of the lease, shall not be ascertained on the basis of the rent so reserved, but, subject always to the foregoing provisions of this section, on the estimated full value of the land at the expiration of the term of the lease.

Effect of enfranchisement on covenants.

3. The estate in fee simple acquired by the trustees shall be held by them upon the same trusts as those upon which the leasehold interest would have been held by them if it had not been enlarged into a fee simple, and shall be subject to all the same covenants and provisions relating to user and enjoyment and to all the same obligations of every kind other than the payment of rent as those to which the leasehold interest would have been subject if it had not been so enlarged, and all such covenants, provisions, and obligations shall be enforceable against the trustees and their successors in title by the persons who, but for the enlargement of the leasehold interest under this Act, would for the time being have been entitled to enforce such covenants, provisions, or obligations :

Provided that any covenant to insure against fire, whether in any particular office or not, and to reinstate and apply the

insurance money in reinstating the premises in case of damage by fire, and any other covenant to do any act which may or will be beneficial to the demised premises alone, shall continue in force only where the consideration is payable in the form of a rentcharge, and so long as that rentcharge is payable.

Power to require trustees to sell in certain cases.

4. If the person who was entitled to the freehold reversion in the lands at the time when the interest of the trustees in the lands was enlarged into a fee simple, or the successor in title of that person, proves to the satisfaction of the Charity Commissioners that any premises the estate in fee simple in which has been acquired by the trustees under this Act, or any part thereof are let or are habitually used for any purpose or purposes other than those specified in the trusts upon which the estate in fee simple is held the Commissioners shall, unless it appears to them that such use was due to inadvertence and will be discontinued by order determine such letting or user, and for this purpose may declare void any contract for, and may prohibit by injunction the continuance of, any such letting or user, or may order that the premises or that part thereof shall be sold, and any order so made shall be enforceable by the same means and be subject to the same provisions as are applicable under the Charitable Trusts Acts, 1853 to 1894, to any orders made thereunder.

Definitions.

5. In this Act, unless the context otherwise requires,—

The expression "place of worship" means any church, chapel, or other building used for public religious worship, and includes a burial ground, Sunday or Sabbath school, caretaker's house or minister's house attached to or used in connexion with and held upon the same trusts as a place of worship:

The expression "freehold reversion" means the estate of fee simple in the premises subject to the lease held by the trustees and any lease superior thereto; and, where the premises subject to the lease consist of land of copyhold or customary tenure, includes the interest of the tenant by copy of court roll or the customary tenant subject to the lease held by the trustees and to any lease superior thereto as well as the interest of the lord of the manor:

The expression "intermediate reversion" means any leasehold interest in the land (whether under a lease or underlease or under an agreement for a lease or underlease) superior to the lease held by the trustees:

The expression "the county court" means the county court for the district in which the place of worship is situate:

The expression "trustees" means the persons in whom the leasehold premises are for the time being vested

for the purposes of a place of worship under any trust whether express or implied and includes their predecessors in title.

Short title and extent.

3.—(1) This Act may be cited as the Places of Worship (Enfranchisement) Act, 1920.

(2) This Act shall not extend to Scotland or Ireland.

Section 2.

SCHEDULE.

MODIFICATIONS OF THE LANDS CLAUSES ACTS AND SECTIONS 77 TO 85 OF THE RAILWAYS CLAUSES CONSOLIDATION ACT, 1845.

(1) The use of the premises as a place of worship, whether in conjunction with other purposes or not, shall be deemed to be the undertaking or the railway and the trustees shall be deemed to be the promoters of the undertaking or the railway company.

8 & 9 Vict. c. 18.

(2) Section one hundred and twenty-three of the Lands Clauses Consolidation Act, 1845, limiting the time for compulsory purchase, shall not apply.

(3) If the trustees propose to sell the premises or any part thereof, sections one hundred and twenty-eight to one hundred and thirty-two of the Lands Clauses Consolidation Act, 1845, shall apply as if the premises or part thereof were superfluous lands within the meaning of those sections, and as if section one hundred and twenty-eight of that Act read as follows :—

> "Before the promoters of the undertaking dispose of any such superfluous lands they shall . . . . . first offer to sell the same to the person who was entitled to the freehold reversion in the lands at the time when the interest of the trustees in the lands was enlarged into a fee simple or the successor in title (if any) of that person; and if that person or his successor in title, as the case may be, refuse to purchase the same, or cannot after diligent inquiry be found, then the like offer shall be made to the person or to the several persons whose lands shall immediately adjoin the lands so proposed to be sold, such persons being capable of entering into a contract for the purchase of such lands; and where more than one such person shall be entitled to such right of pre-emption such offer shall be made to such persons in succession, one after another, in such order as the promoters of the undertaking shall think fit."

(4) The arbitrator shall, so far as practicable, in assessing compensation, act on his own knowledge and experience, but, subject as aforesaid, at any arbitration held under this Act the arbitrator shall hear, by themselves or their agents, the parties, and shall hear witnesses, but shall not, except in such cases as the arbitrator may otherwise direct, hear counsel or more than one expert witness on either side.

(5) The Lord Chancellor may make rules fixing a scale of costs to be applicable on an arbitration under this Act, and an arbitrator under this Act may, notwithstanding anything in the Lands Clauses

Acts, determine the amount of costs, and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been caused or incurred unnecessarily, and, if he thinks the circumstances such as to justify him in so doing, to order that each of the parties shall bear their own costs.

(6) There may be contained in the award of the arbitrator a finding that the claimant, after having been requested in writing by the trustees so to do, has failed to deliver to the trustees a statement in writing of the amount claimed, giving sufficient particulars and in sufficient time to enable the trustees to make a proper offer, and, where such a finding is contained in the award, the provisions of the Lands Clauses Acts as to costs of arbitrations shall apply as if the trustees had offered the same sum or a greater sum than that found to be due by the award:

Provided that this provision shall not apply unless the written request for particulars contained a notice of the effect of this provision.

(7) Land includes easements in or relating to land.

CHAPTER 57.

An Act to make better provision for the employment of unemployed persons by facilitating the acquisition of, and entry on, land required for works of public utility, and for purposes connected therewith.

[3rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision for facilitating the compulsory acquisition of, and entry on, land required for works of public utility.

1. Subject as hereinafter provided, the provisions of the Housing, Town Planning, &c. Act, 1909, and of the Housing, Town Planning, &c. Act, 1919, which relate to the procedure for the compulsory acquisition of land for the purposes of Part III. of the Housing of the Working Classes Act, 1890, by the Minister of Health and local authorities, and to entry on land acquired for those purposes, shall apply to the compulsory acquisition of land for the purpose of works of public utility and of land which may be acquired in connection with any such works, and to the entry on land acquired for that purpose, as if those enactments were herein re-enacted with the necessary adaptations and modifications and with the substitution of the appropriate Government department for the Minister of Health and of the local authority having power to execute a work of public utility for the local authority within the meaning of the said Part III.:

9 Edw. 7. c. 44.
9 & 10 Geo. 5. c. 35.
53 & 54 Vict. c. 70.

Provided that—

(*a*) the powers conferred by this section shall not be exercised except where it is certified by the Minister of Labour that, having regard to the amount of unemployment existing in any area, it is desirable that the provisions of this section should be put into operation with a view to the speedy provision of employment for unemployed persons from that area, and the Minister of Labour shall take into consideration any representations which may be made to him by any local authority to the effect that he should issue a certificate under this section; and

(*b*) no order authorising the compulsory acquisition of any land for any purpose shall be made under any enactment as applied by this section, unless an order authorising the compulsory acquisition of that land for that purpose could have been made under some enactment in force at the commencement of this Act; and

(*c*) where an enactment in force at the commencement of this Act, which authorises the compulsory acquisition of land for any purpose for which land has been authorised to be acquired compulsorily by an order made under this Act, contains a provision that the arbitrator in determining the amount of any disputed compensation shall have regard to the extent to which the remaining and contiguous lands and hereditaments belonging to the same proprietor may be benefited by the proposed work for which the land is authorised to be acquired, that provision shall have effect as respects land authorised to be acquired compulsorily by the said order.

Power to enter on and acquire land for construction and improvement of roads.

2.—(1) If it appears to the Minister of Labour that immediate action is necessary for the purpose of dealing with unemployment, and that land cannot be acquired under the foregoing provisions of this Act with such expedition as the case requires, he may certify accordingly, and thereupon the Minister of Transport (in this section referred to as "the Minister") or, with the approval of the Minister, any local authority, shall, subject to the provisions of this section, have power forthwith to enter upon and take possession of any such land as may be required for or in connection with the construction of any arterial road, being a road which the Minister or the local authority, as the case may be, has or have power to construct or required by the local authority for the improvement of any road, with a view to the employment of unemployed persons in the construction or improvement of the road:

Provided that nothing in the foregoing provision shall authorise the Minister or any local authority to enter on any permanent building or structure, or to enter upon or take possession of any land unless that land could, under some enactment in force at the commencement of this Act, have been authorised to be acquired compulsorily for, or in connection with, the construction or improvement of a road.

(2) Before entering on any land under this Act, the Minister or local authority shall give seven days' notice in writing of the intention so to do to the owner and occupier of the land.

A notice for the purposes of this provision may be served either—

(*a*) by delivering it to or leaving it at the usual or last known place of abode of the person on whom it is to be served; or

(*b*) by sending it by post in a prepaid letter addressed to that person at his usual or last known place of abode; or

(*c*) by delivering it to some person on the premises or, if there is no person on the premises who can be so served, by affixing it on some conspicuous part of the premises;

and any such notice may be addressed by the description of the "owner" or the "occupier" of the premises (naming them) without further name or description.

(3) Where the Minister or a local authority enter upon any land in pursuance of this section, he or they shall, by virtue of this section, have power to acquire the land compulsorily, and for the purpose of the acquisition of any such land the provisions of the Lands Clauses Acts shall, subject to the provisions of this section, be deemed to be incorporated in this Act.

(4) The Minister or local authority shall, as soon as may be after entering on any land under this section, serve notice under section eighteen of the Lands Clauses Consolidation Act, 1845, of the intention to take the land, and shall add to the notice a statement that the entry on the land is made in pursuance of this Act, and shall in all respects be liable as if such notice had been given on the date of entering on the land.

8 & 9 Vict. c. 18.

(5) The power conferred by this section to enter on land may, save as hereinbefore in this section provided, be exercised without notice to or the consent of any person and without compliance with the provisions of sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845, but such entry shall be without prejudice to the liability to pay compensation for the land and interest thereon as from the date on which entry is made, such compensation and interest to be ascertained in accordance with the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919.

9 & 10 Geo. 5. c. 57.

Contribution by local authorities to works outside their area.

3.—(1) With a view to the provision of employment for the unemployed persons in their area, a local authority may, subject to the approval of the Minister of Health, enter into agreements with any Government department or local authority by whom any work of public utility is being, or is about to be, constructed for the payment of a contribution by that authority towards the expenses which may be incurred in carrying out that work, and any two or more local authorities may, subject to the like approval, make schemes with a view to providing for the employment of the unemployed persons in their areas on works of public utility and may by any such schemes make arrangements as to the manner in which the expenses incurred in connection with the works are to be defrayed.

(2) A local authority shall have power, with the approval of the Minister of Health, to borrow money for the purposes of any agreement entered into or any scheme made by the authority under this section, in the case of the council of a county in the same manner as for the purposes specified in section sixty-nine of the Local Government Act, 1888, in the case of the council of a metropolitan borough under the Metropolis Management Acts, 1855 to 1893, in the case of the Common Council of the City of London under the City of London Sewers Acts, 1848 to 1897, and in the case of any other council in the same manner as for the purposes of the Public Health Acts, 1875 to 1908.

51 & 52 Vict. c. 41.

(3) In this section the expression "local authority" means the council of a county or a county borough, or of an urban or rural district:

Provided that, for the purposes of the application of the provisions of this section to the administrative county of London, the local authorities shall be the London County Council, the councils of metropolitan boroughs, and the Common Council of the City of London.

Section 9 (2) of 7 Edw. 7. c. 47, not to apply in certain cases.

4. The provisions of subsection (2) of section nine of the Development and Road Improvement Funds Act, 1909, shall not apply with respect to the construction of any new road where the Minister of Labour certifies that, having regard to the exceptional amount of unemployment in any area, it is desirable that the construction of the new road should be proceeded with forthwith with a view to the speedy provision of employment for unemployed persons from that area.

Interpretation and saving.

5.—(1) In this Act the expression "work of public utility" means the construction or improvement of roads (including bridges, viaducts, and subways) or other means of transit, the widening or other improvement of waterways, the construction or improvement of harbours, the construction of sewers or waterworks, afforestation, the reclamation or drainage of land, and any other work, being a work which a local authority has power to execute, which is approved for the purposes of this

Act by the appropriate Government department as a work of public utility.

(2) If any question arises in any case as to what department is the appropriate Government department within the meaning of this Act, the question shall be referred to and determined by the Treasury.

(3) The provisions of this Act shall be in addition to and not in substitution for any power of any Government department or local authority to enter upon or acquire any land for the purposes of any work of public utility.

Application to Scotland and Ireland.

6.—(1) In the application of this Act to Scotland—

(*a*) References to the Scottish Board of Health shall be substituted for references to the Minister of Health:

(*b*) For the reference to the Housing, Town Planning, &c., Act, 1919, there shall be substituted a reference to the Housing, Town Planning, &c. (Scotland) Act, 1919: 9 & 10 Geo. 5. c. 60.

(*c*) For reference to section eighteen and sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845, there shall be substituted references to section seventeen and sections eighty-three to eighty-eight respectively of the Lands Clauses Consolidation (Scotland) Act, 1845: 8 & 9 Vict. c. 19.

(*d*) The following subsections shall be substituted for subsections (2) and (3) of section three of this Act:—

"(2) Expenses incurred by a local authority under this section shall be defrayed out of such assessment as the Scottish Board of Health may designate and shall not be reckoned in any calculation as to the statutory limit of such assessment; and a local authority shall have power with the approval of the Board to borrow money for the purposes of any agreement entered into or any scheme made by the authority under this section on the security of such assessment as the Board may designate.

"(3) In this section the expression 'local authority' means a county council or a town council."

(2) In the application of this Act to Ireland—

(*a*) References to the Local Government Board for Ireland shall be substituted for references to the Minister of Health:

(*b*) For the reference to the Housing, Town Planning, &c. Act, 1909, and the Housing, Town Planning, &c. Act, 1919, there shall be substituted a reference to the Housing of the Working Classes (Ireland) Acts, 1890 to 1919:

(*c*) For the reference to section sixty-nine of the Local Government Act, 1888, there shall be substituted a reference to Article 22 of the Schedule to the Local Government (Application of Enactments) Order, 1898:

(*d*) For the reference to the Public Health Acts, 1875 to 1908, there shall be substituted a reference to the Public Health (Ireland) Act, 1878 to 1919:

(*e*) Where the Minister or a local authority have power to acquire land compulsorily by virtue of section two of this Act, the power shall be exerciseable in like manner as a power to acquire land compulsorily is exerciseable by virtue of a provisional order made under section ten of the Local Government (Ireland) Act, 1898, and duly confirmed, and the provisions with respect to the service of notice under section eighteen of the Lands Clauses Consolidation Act, 1845, shall not apply.

61 & 62 Vict. c. 37.

Short title.

7.—(1) This Act may be cited as the Unemployment (Relief Works) Act, 1920.

(2) This Act shall continue in force for twelve months and no longer unless Parliament otherwise determines:

Provided that the expiry of this Act shall not

(*a*) affect the previous operation thereof or of anything duly done or suffered thereunder; or

(*b*) affect any right, privilege, obligation or liability acquired, accrued or incurred thereunder; or

(*c*) affect any legal proceeding, arbitration, remedy or investigation in respect of such right, privilege, obligation or liability as aforesaid;

and any such legal proceeding, arbitration, remedy or investigation may be instituted, enforced or continued as if this Act had not expired.

CHAPTER 58.

An Act to continue temporarily and give effect to certain orders relating to the early closing of shops and for purposes connected therewith.

[3rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Temporary continuance of certain

1.—(1) The order made by the Secretary of State dated the twenty-fourth day of April nineteen hundred and seventeen

under Regulation 10B of the Defence of the Realm Regulations as amended by any subsequent orders (which order as so amended is set out in Part I. of the Schedule to this Act), shall continue in force notwithstanding the expiry of the Defence of the Realm (Consolidation) Act, 1914, and shall have effect in the area of any local authority as if it were a closing order made and confirmed under the Shops Act, 1912, and subsection (5) of section five and sections thirteen and fourteen of that Act shall apply accordingly: Provided that the Secretary of State may, for such days as he thinks fit, suspend the operation of the said order during the Christmas season, or in connection with any other special occasion. Orders for the early closing of shops. 5 Geo. 5. c. 8. 5 Geo. 5. c. 3.

(2) The said order shall, as from the passing of this Act, cease to have effect as an order made under the said regulation.

(3) In the application of this Act to Scotland this Act shall have effect as if for references to the said order there were substituted references to the order made on the twenty-sixth day of April nineteen hundred and seventeen by the Secretary for Scotland, as amended by any subsequent orders (which order as so amended is set out in Part II. of the Schedule to this Act), and as if for references to the "Secretary of State" there were substituted references to the "Secretary for Scotland."

2.—(1) This Act may be cited as the Shops (Early Closing) Act, 1920, and this Act and the Shops Acts, 1912 and 1913, may be cited together as the Shops Acts, 1912 to 1920. Short title, extent, and duration.

(2) This Act shall not extend to Ireland.

(3) This Act shall continue in force until the thirty-first day of December nineteen hundred and twenty-one and no longer.

SCHEDULE. Section 1.

PART I.

ORDER OF THE SECRETARY OF STATE, DATED APRIL 24, 1917, AS AMENDED BY SUBSEQUENT ORDERS, MADE UNDER REGULATION 10B OF THE DEFENCE OF THE REALM REGULATIONS.

1.—(*a*) Every shop shall be closed for the serving of customers not later than 8 o'clock in the evening on every day other than Saturday and not later than 9 o'clock in the evening on Saturday, and in the case of a contravention of this provision the occupier of the shop shall be liable to a penalty; and

(*b*) Any person who carries on in any place not being a shop any retail trade or business after 8 o'clock in the evening on any

day other than Saturday or after 9 o'clock in the evening on Saturday shall be liable to a penalty.

2. This Order shall not prevent—

(1) the serving of a customer where it is proved that the customer was in the shop before the closing hour or that reasonable grounds existed for believing that the article supplied after the closing hour to a customer was required in a case of illness; or

(2) the sale after the closing hour of—

(*a*) meals or refreshments for consumption on the premises; or (in the case of meals or refreshments sold on railway premises) for consumption on the trains;

Provided that in the case of canteens attached to and situated within or in the immediate vicinity of any works, if persons are employed at such works after the closing hour, and the canteen is kept open only for the use of such persons, meals or refreshments may be sold after the closing hour for consumption anywhere within the works premises;

(*b*) newly cooked provisions to be consumed off the premises;

(*c*) any fresh fish or tripe or soft fruit which would become unfit or less suitable for food if kept till the following day;

(*d*) intoxicating liquors to be consumed on or off the premises;

(*e*) medicine or medical or surgical appliances, so long as the shop is kept open and lighted only for such time as is necessary for serving the customer;

(*f*) newspapers;

(*g*) periodicals and books from the bookstalls of such terminal and main line stations as may be approved by the Secretary of State;

(*h*) motor or cycle supplies or accessories for immediate use, so long as the shop is kept open and lighted only for such time as is necessary for serving the customer;

(*i*) victuals, stores, or other necessaries required by any naval or military authority for His Majesty's forces or required for any ship on her arrival at or immediately before her departutre from a port, so long as the shop is kept open and lighted only for such time as is necessary for serving the customer;

The expression "soft fruit" in paragraph (*c*) shall mean the following fruits:—apricots, bilberries, blackberries, cherries, currants (black, red, and white), green figs, greengages, gooseberries, loganberries, mulberries, peaches, plums, raspberries, strawberries; or

(3) the transaction after the closing hour of any post office business.

3. This Order shall not apply to any fair lawfully held or any bazaar or sale of work for charitable or other purposes from which no private profit is derived.

4. The expressions " shop " and " retail trade or business " in this Order have the same meaning respectively as in the Shops Act, 1912.

For the purposes of the exemption relating to the sale of meals or refreshments, (*a*) tobacco supplied at a meal for immediate consumption shall be deemed to form part of the meal; (*b*) refreshments shall not be deemed to include sweets, chocolate, or other sugar confectionery or ice cream.

5. This Order shall not affect any obligation to comply with the provisions of the Shops Acts, 1912 and 1913, or any order made thereunder, or any other Act, order, or regulation restricting hours of sale or the hours of transaction of business.

6. This Order shall be in force from the 1st May 1917 until further order.

PART II.

ORDER OF THE SECRETARY FOR SCOTLAND, DATED APRIL 26, 1917, AS AMENDED BY SUBSEQUENT ORDERS, MADE UNDER REGULATION 10B OF THE DEFENCE OF THE REALM REGULATIONS.

1.—(*a*) Every shop shall be closed for the serving of customers not later than 8 o'clock in the evening on every day other than Saturday and not later than 9 o'clock in the evening on Saturday, and in the case of a contravention of this provision the occupier of the shop and any manager, agent, servant, or other person by whom the contravention has in fact been committed shall be liable to a penalty; and

(*b*) Any person who carries on in any place not being a shop any retail trade or business after 8 o'clock in the evening on any day other than Saturday or after 9 o'clock in the evening on Saturday shall be liable to a penalty.

This Order shall not prevent—

(1) the serving of a customer where it is proved that the customer was in the shop before the closing hour or that reasonable grounds existed for believing that the article supplied after the closing hour to a customer was required in a case of illness; or

(2) the sale after the closing hour of—

(*a*) meals or refreshments for consumption on the premises;

Provided that (1) in the case of railways, meals or refreshments may be sold after the closing hour on the railway premises to persons about to travel by rail; (2) in the case of canteens attached to and situated within or in the immediate vicinity of any works, if persons are employed at such works after the closing hour, and the canteen is kept open only for the use of such persons, meals or refreshments may be sold after the closing hour for consumption anywhere within the works premises;

(*b*) newly cooked provisions to be consumed off the premises;

(*c*) any fruit specified in the schedule to this Order or any fresh fish or tripe;

(*d*) intoxicating liquors to be consumed on or off the premises;

(*e*) medicine or medical or surgical appliances, so long as the shop is kept open and lighted only for such times as is necessary for serving the customer;

(*f*) newspapers;

(*g*) periodicals and books on railway premises to persons about to travel by rail;

(*h*) motor or cycle supplies or accessories for immediate use, so long as the shop is kept open and lighted for such time only as is necessary for serving the customer;

(*i*) victuals, stores, or other necessaries required by any naval or military authority for His Majesty's forces or required for any ship on her arrival at or immediately before her departure from a port, so long as the shop is kept open and lighted only for such time as is necessary for serving the customer; or

(3) the transaction after the closing hour of any post office business.

3. This Order shall not apply to any fair lawfully held or to any bazaar or sale of work for charitable or other purposes from which no private profit is derived.

4. The expressions " shop " and " retail trade or business " in this Order have the same meaning respectively as in the Shops Act, 1912.

For the purposes of the exemption relating to the sale of meals or refreshments, (*a*) tobacco supplied at a meal for immediate consumption shall be deemed to form part of the meal; (*b*) refreshments shall not be deemed to include sweets, chocolate, or other sugar confectionery or ice cream.

5. This Order shall not affect any obligation to comply with the provisions of the Shops Acts, 1912 and 1913, or any order made thereunder, or any other Act, order, or regulation restricting hours of sale or the hours of transaction of business.

6. This Order shall be in force from the 1st May 1917 until further order, and shall apply throughout Scotland.

SCHEDULE.

LIST OF EXEMPTED FRUITS.

Cherries.	Apricots.	Blaeberries.
Black currants.	Plums.	Loganberries.
Red currants.	Greengages.	Blackberries.
Strawberries.	Gooseberries.	Mulberries.
Raspberries.	Peaches.	Green figs.

CHAPTER 59.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-one, and to appropriate the further Supplies granted in this Session of Parliament. [23rd December 1920.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

GRANT OUT OF CONSOLIDATED FUND.

Issue of 57,588,994*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ended on the thirty-first day of March, one thousand nine hundred and twenty-one, the sum of fifty-seven million five hundred and eighty-eight thousand nine hundred and ninety-four pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole fifty-seven million five hundred and eighty-eight thousand nine hundred and ninety-four pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2*l*

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form

part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

3. All sums granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by Schedule (A), in the aggregate to the sum of fifty-seven million five hundred and eighty-eight thousand nine hundred and ninety-four pounds, are appropriated, as from the date of the passing of this Act, for the services and purposes expressed in Schedule (B) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule.

54 & 55 Vict. c. 24.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the air services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on naval and air services respectively is not made to exceed the aggregate sums appropriated by this Act and by the Appropriation Act, 1920, for those services, respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under those Acts as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by those Acts, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and air services for the year in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Declaration required in certain cases

5. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, air

force, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant: before receipt of sums appropriated.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

6. This Act may be cited for all purposes as the Appropriation (No. 2) Act, 1920. Short title

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

Section 3.

	£	s.	d.
Grant out of the Consolidated Fund - - -	57,588,994	0	0

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

Section 3.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
Part I. Navy (Supplementary), 1920–1921 - - - - - -	£ 6,500,000	s. 0	d. 0	£ 2,193,100	s. 0	d. 0
,, 2. Army (Supplementary), 1920–1921 - - - - - -	39,750,000	0	0	15,500,000	0	0
,, 3. Air Force (Supplementary) 1920–1921 - - - - -	1,935,300	0	0	437,400	0	0
,, 4. Civil Services (Supplementary), 1920–1921 - - - - -	9,403,694	0	0	1,320,925	0	0
£	57,588,994	0	0	19,451,425	0	0

SCHED. (B.) PART 1. Navy (Supplementary), 1920–1921.

SCHEDULE (B.)—PART 1.

NAVY (SUPPLEMENTARY), 1920–1921.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to meet additional expenditure on Navy Services for the year ending on the 31st day of March, 1921, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote 2. Victualling and Clothing for the Navy -	870,200	— 396,000
Vote 3. Medical Establishments and Services -	31,200	—
Vote 4. Civilians employed on Fleet Services -	108,300	—
Vote 5. Educational Services - - - -	28,200	—
Vote 6. Scientific Services - - - -	2,600	+ 23,000
Vote 8. Shipbuilding, Repairs, Maintenance, &c. :—		
Section I. Personnel - - - -	1,879,200	—
Section III. Contract Work - -	1,829,900	—
Vote 9. Naval Armaments - - - -	1,648,400	— 261,100
Vote 11. Miscellaneous Effective Services - -	1,016,500	—
Vote 12. Admiralty Office - - - - -	374,700	—
Vote 14. Naval and Marine Pensions, Gratuities, and Compassionate Allowances - -	271,600	—
Vote 15. Civil Superannuation, Compensation Allowances, and Gratuities - - -	18,500	—
	8,079,300	— 111,900
Less Surpluses on :—		
Vote 1. Wages, &c., of Officers, Seamen and Boys, Coast Guard, Royal Marines, and Mercantile Officers and Men - -	295,000	—
Vote 7. Royal Naval Reserves - - - -	30,000	—
Vote 8. Shipbuilding, Repairs, Maintenance, &c. :—		
Section II. Matériel - - -	1,177,300	+2,250,000
Vote 10. Works, Buildings, and Repairs at Home and Abroad - - - - -	55,900	+ 55,000
Vote 13. Half Pay and Retired Pay - - -	22,000	—
	1,579,300	+2,305,000
Net Amount - - - - £	6,500,000	2,193,100

SCHEDULE (B.)—PART 2.

SCHED. (B.) PART 2. Army (Supplementary), 1920–1921.

ARMY (SUPPLEMENTARY), 1920–1921.

SCHEDULE of estimated gross and net additional expenditure in respect of Army Services in respect of the year ending on the 31st day of March, 1921, and of the sums granted and sums which may be applied as appropriations in aid in addition thereto to defray the charges which will come in course of payment during that year in respect of the said services :—

	Sums not exceeding			
	Gross.	Sums receivable.	Net.	
	£	£	£	
Head I.—Maintenance of Standing Army	15,850,000	—	15,850,000	
Head III.—				
G.G.—Working Expenses of National Factories	1,470,000	250,000	1,220,000	
H.—Department of Inspection of War-like Stores	780,000	—	780,000	
Head V.—Capital Accounts	8,945,000	11,800,000	*Cr.2,855,000*	
Head VI.—Terminal and Miscellaneous	31,150,000	3,450,000	27,700,000	
Head VII.—Half Pay, Retired Pay, Pensions and Civil Superannuation	1,705,000	—	1,705,000	
TOTAL £	59,900,000	15,500,000	44,400,000	
Less Surplus—				
Head II.—Territorial and Reserve Forces	4,650,000	—	4,650,000	
NET TOTAL £	55,250,000	15,500,000	39,750,000	

	Supply Grants.	Appropriations in Aid.
	£	£
Estimated additional cash required for Army Services in 1920–21	39,750,000	—
Estimated additional receipts to be appropriated in aid of Army Services in 1920–21	—	15,500,000

SCHED. (B.) PART 3. Air (Supplementary), 1920–1921.

SCHEDULE (B.)—PART 3.

AIR (SUPPLEMENTARY), 1920–1921.

SCHEDULE OF SUMS granted, and of sums which may be applied as appropriations in aid in addition thereto, to meet additional expenditure on AIR SERVICES for the year ending on 31st day of March, 1921; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote 1. Pay, &c., of the Air Force	306,850	—
Vote 2. Quartering Stores (except Technical) Supplies, and Transport	237,000	+ 182,000
Vote 3. Technical and Warlike Stores	2,748,700	+ 300,000
Vote 5. Air Ministry	70,000	—
	3,362,550	
Less Surpluses on :—		
Vote 4. Works, Buildings, and Lands	170,850	+ 60,000
Vote 6. Miscellaneous Effective Services	18,000	—
Vote 7. Half-Pay, Pensions, and other Non-Effective Services	28,000	—
Vote 8. Civil Aviation	473,300	— 40,600
Vote 9. Experimental and Research Services	737,100	— 64,000
	1,427,250	
NET AMOUNT £	1,935,300	+ 237,400

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4. Civil Services (Supplementary), 1920–1921.

CIVIL SERVICES (SUPPLEMENTARY), 1920–1921.

SCHEDULE of SUPPLEMENTARY SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges for the Services herein particularly mentioned for the year ending on the 31st day of March, 1921, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.		
CLASS I.	£	£
For expenditure in respect of the erection of houses by the Office of Works on behalf of Local Authorities proceeding with Assisted Housing Schemes approved by the Ministry of Health in accordance with the provisions of the Housing, Town Planning, &c. Act, 1919 - -	200,000	700,000
CLASS II.		
For the salaries and expenses of the Mines Department of the Board of Trade - - -	73,629	53,925
For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including Merchant Seamen's Fund Pensions and grants to the General Lighthouse Fund and other Lighthouse and Harbour Authorities - - - - - - - -	150,905	—
CLASS IV.		
For the expenses of the Commissioners of National Education in Ireland, including grants in aid of the Teachers' Pension Fund, Ireland - -	528,600	—
CLASS V.		
For sundry Colonial Services, including certain grants in aid - - - - - - - - -	10	—
CLASS VI.		
For a grant in aid of the Mission of His Royal Highness the Duke of Connaught to India -	8,000	—
Carried forward - £	961,144	753,925

SCHED. (B.) PART 4. Civil Services (Supplementary), 1920–1921.

SCHEDULE (B.)—PART 4—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	961,144	753,925
CIVIL SERVICES—*cont.*		
CLASS VII.		
For the salaries and expenses of the Insurance Commission (Ireland), and for sundry contributions and grants in respect of the cost of benefits and expenses of administration under the National Insurance (Health) Acts, 1911 to 1920 (including certain grants in aid) - -	68,540	—
For the salaries and expenses of the Ministry of Labour and Subordinate Departments, including the contribution to the Unemployment Insurance Fund, and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911, and sections 5 and 17 of the Unemployment Insurance Act, 1920, Out of Work Donation and expenditure in connection with the training of demobilised officers and non-commissioned officers and men, and the training of women; and grants for civil liabilities and re-instatement - -	3,500,000	515,000
UNCLASSIFIED SERVICES.		
For the salaries and expenses of the Ministry of Food - - - - - - - - - -	395,000	52,000
For the salaries and expenses of the Ministry of Transport, including sundry charges in connection with Transportation schemes, &c., under the Ministry of Transport Act, 1919, certain repayable advances under the Electricity (Supply) Act, 1919, and special road grants to relieve unemployment - - -	500,010	—
For the cost of certain miscellaneous war services - - - - - - - - -	1,629,000	—
For such of the charges for war bonus, &c., as have not been otherwise provided - - -	2,350,000	—
Total Civil Services - - £	9,403,694	1,320,925

CHAPTER 60.

An Act to amend the Law with respect to Customs in the Isle of Man. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Duty on motor spirit. 6 & 7 Geo. 5. c. 27.

1.—(1) The duty of Customs on motor spirit removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1916, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty, until the first day of August, nineteen hundred and twenty-one.

9 & 10 Geo. 5. c. 74.

(2) As from the first day of January, nineteen hundred and twenty-one, section three of the Isle of Man (Customs) Act, 1919 (which exempts from duty motor spirit made in Great Britain or Ireland), shall cease to have effect.

Duties on tobacco. 8 & 9 Geo. 5. c. 41.

2.—(1) The additional duties of Customs on tobacco removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1918, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty, until the first day of August, nineteen hundred and twenty-one.

(2) In addition to the duties of Customs payable on tobacco removed or imported into the Isle of Man, there shall be charged, levied and paid, on and from the eleventh day of May, nineteen hundred and twenty, until the first day of August, nineteen hundred and twenty-one, a duty on cigars of fifty per cent. of the value of the cigars:

Provided that, in the case of the duty charged by this subsection, the preferential rate under section five of the Isle of Man (Customs) Act, 1919, shall be sixty-six and two-thirds per cent. of the full rate.

9 & 10 Ge 5 c. 74

10 & 11 Geo. 5. c. 18

(3) The provisions of subsection (1) of section ten of the Finance Act, 1920 (which relates to the calculation of value for the purposes of ad valorem duty), shall apply for the purposes of the ad valorem duty on cigars imposed by this section as it applies to the similar duty on cigars imposed by that Act.

Duties on beer and spirits.

3. The additional duties of Customs on ale or beer and on spirits removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1919, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty, until the first day of August, nineteen hundred and twenty-one.

Short title.

4. This Act may be cited as the Isle of Man (Customs) Act, 1920.

CHAPTER 61.

An Act to grant money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of Public Works Loans Commissioners for five years. 38 & 39 Vict. c. 89.

1. Whereas the term of office of persons who are, at the passing of this Act, Public Works Loan Commissioners under the Public Works Loans Act, 1875, will expire at the end of a period of five years from the first day of April, nineteen hundred and sixteen, and it is expedient to appoint Commissioners for a further period of five years; therefore the following persons (that is to say):—

Edward Norman, Esquire,
The Honourable Herbert Cokayne Gibbs,
The Honourable Evelyn Hubbard,
Edward Henry Loyd, Esquire,
The Right Honourable Lord Newlands,
William Douro Hoare, Esquire,
Robert Lydston Newman, Esquire,
The Right Honourable the Earl of Chichester,
The Right Honourable Lord Clwyd,
Laurence Currie, Esquire,
Alexander Brodrick Leslie-Melville, Esquire,
Anthony de Rothschild, Esquire,
Alfred Mildmay, Esquire,
The Honourable Sir William Henry Goschen, K.B.E.,
Lawrence Edlmann Chalmers, Esquire,
Sir Charles Eric Hambro, K.B.E.,
Charles Robert Gilliat, Esquire,
Edward Charles Grenfell, Esquire,

shall, after the passing of this Act, be the Public Works Loan Commissioners under the Public Works Loans Act, 1875, and shall hold office until the expiration of five years from the first day of April, nineteen hundred and twenty-one.

Grants for public works.

2.—(1) For the purpose of local loans, there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of forty million pounds;

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole the sum of one million pounds;

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887. 50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

3. Whereas it is expedient that the principal of the several local loans specified in the tables contained in Part I., Part II., and Part III. respectively of the Schedule to this Act should, to the extent specified in the last column of those tables, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887:

Now, therefore, the principal of the said loans to the extent aforesaid and the said sums shall be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

4. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay the said loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan: 1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March, eighteen hundred and ninety-two, whereby a portion of the surplus herring brand fees, as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the surplus herring brand fees of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the surplus herring brand fees, so pledged as aforesaid, was in the year ending the thirty-first day of March, nineteen hundred and twenty, insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds, with interest amounting to one hundred and fifty-one pounds seven shillings

now remains unpaid, and under the terms of the said memorandum of agreement is irrecoverable:

Now, therefore, the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to one hundred and fifty-one pounds seven shillings shall be remitted.

Power to make temporary advances from Local Loans Fund to local authorities for housing purposes.

5.—(1) Subject to the provisions of this section, the Public Works Loan Commissioners may advance out of the Local Loans Fund to local authorities within the meaning of the Housing Acts, 1890 to 1919, and on the like security as sums borrowed for the purposes of those Acts, any sums which those authorities have power to borrow for those purposes:

Provided that—

(*a*) the amount of an advance to any local authority shall not exceed such sum as may be approved by the Treasury and the Minister of Health in that behalf; and

(*b*) the amount advanced shall be repaid by the local authority to the Local Loans Fund within a period of twelve months from the date of the advance.

(2) Interest on advances under this section shall be payable at such a rate as the Treasury may from time to time fix or, if at any time and so long as the rate originally fixed by the Treasury in the case of any advance is less than the bank rate for the time being in force, at the bank rate.

(3) A local authority to whom an advance has been made under this section may, without the consent of the Minister of Health, borrow any money required for the purpose of repaying the advance.

(4) The power to make advances under this section shall not be exercised after the thirtieth day of September, nineteen hundred and twenty-one.

Short title.

6. This Act may be cited as the Public Works Loans Act, 1920.

Section 3.

SCHEDULE.

PART I.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

Loan under the Harbours and Passing Tolls Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ *s.* *d.*	£ *s.* *d.*
Eyemouth Harbour Trustees -	10,000 0 0	200 0 0

PART II.

LOANS BY THE IRISH LAND COMMISSION.

Loan under the Purchase of Land (Ireland) Act, 1885 (48 & 49 *Vict. c.* 73).

Name of Borrower.	Amount of Loan.	Amount to be written off.
James Reidy - - - -	£ s. d. 3,000 0 0	£ s. d. 206 1 11

PART III.

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS IN IRELAND.

Loan under the Public Works (Ireland) Act, 1831 (1 & 2 *Will.* 4. *c.* 33).

Name of Borrower.	Amount of Loan.	Amount to be written off.
Dublin Port and Docks Board -	£ s. d. 1,700 0 0	£ s. d. 1,250 12 10

Loan under the Land Law (Ireland) Act, 1881 (44 & 45 *Vict. c.* 49. *s.* 31).

Name of Borrower.	Amount of Loan.	Amount to be written off.
Daniel McKnight - - -	£ s. d. 40 0 0	£ s. d. 11 12 0

CHAPTER 62.

An Act to make provision for the better protection of Women and Young Persons against Lead Poisoning.

[23rd December 1920.]

WHEREAS at Washington, on the twenty-eighth day of November, nineteen hundred and nineteen, a general conference of the International Labour Organisation of the League of Nations adopted a Recommendation in the form set out in the Schedule to this Act, and it is expedient that, for the

purpose of carrying out the said Recommendation, the provisions hereinafter contained should have effect:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition of employment of women and young persons in certain processes connected with lead manufacture.

1. It shall not be lawful for any person to employ any woman or young person in any of the following operations:—

(*a*) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on:

(*b*) The manipulation, treatment, or reduction of ashes containing lead, the desilverising of lead, or the melting of scrap lead or zinc:

(*c*) The manufacture of solder or alloys containing more than ten per cent. of lead:

(*d*) The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate, or silicate of lead:

(*e*) Mixing or pasting in connection with the manufacture or repair of electric accumulators:

(*f*) The cleaning of workrooms where any of the processes aforesaid are carried on.

Regulations for employment of women and young persons in processes involving use of lead compounds.

2.—(1) It shall not be lawful for any person to employ in any process involving the use of lead compounds any woman or young person if the process is such that dust or fume from a lead compound is produced therein, or the persons employed therein are liable to be splashed with any lead compound in the course of their employment, unless the following regulations are complied with as respects all women and young persons employed:—

(*a*) Where dust or fume from a lead compound is produced in the process, provision must be made for drawing the fume or dust away from the persons employed by means of an efficient exhaust draught so contrived as to operate on the dust or fume as nearly as may be at its point of origin:

(*b*) The persons employed must undergo the prescribed medical examination at the prescribed intervals, and the prescribed record must be kept with respect to their health:

(*c*) No food, drink, or tobacco shall be brought into or consumed in any room in which the process is carried on, and no person shall be allowed to remain in any such room during meal times:

(*d*) Adequate protective clothing in a clean condition shall be provided by the employer and worn by the persons employed:

(*e*) Such suitable cloak-room, mess-room and washing accommodation as may be prescribed shall be provided for the use of the persons employed:

(*f*) The rooms in which the persons are employed, and all tools and apparatus used by them, shall be kept in a clean condition.

(2) It shall not be lawful for any person to employ in any process involving the use of lead compounds any woman or young person who has been suspended after medical examination from employment in any such process on the ground that continuance therein would involve special danger to health.

Power to take samples. 1 Edw. 7. c. 22.

3.—(1) Where an inspector under the Factory and Workshop Act, 1901, suspects that any substance used or intended for use in any process in which women or young persons are employed contains a lead compound, he may at any time take for analysis sufficient samples of that substance.

(2) If the occupier of the factory or workshop in which any such process is carried on refuses to allow an inspector to take samples in pursuance of this section, or to give him facilities for the purpose, he shall be guilty of obstructing the inspector in the execution of his duties under the said Act:

Provided that the occupier of a factory may, at the time when a sample is taken under this section, and on providing the necessary appliances, require the inspector to divide the sample into two parts and to mark and seal and deliver to him one such part.

(3) In this section the expression "occupier of a factory or workshop" includes any person employing a woman or young person in any process involving the use of lead compounds in any place other than a factory or workshop.

(4) A certificate purporting to be a certificate by the Principal Chemist of the Government Laboratory as to the result of an analysis of a sample under this section shall, in any proceedings under this Act, be evidence of the matters stated therein, unless either party requires the person by whom the analysis was made to be called as a witness.

(5) It shall not be lawful for any person, except in so far as is necessary for the purposes of a prosecution for an offence under this Act, to publish or disclose to any person the results of an analysis made under this Act.

If any person acts in contravention of the provisions of this subsection, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

Amendment of s. 73 of 1 Edw. 7. c. 22.

4. Section seventy-three of the Factory and Workshop Act, 1901 (which requires notification to be sent to the Chief Inspector of Factories of lead poisoning contracted in any

factory or workshop), shall apply to lead poisoning contracted by any woman or young person in processes involving the use of lead compounds, whether carried on in factories or workshops or not.

Penalties where employment is not in factory or workshop.

5. If any person employs a woman or young person in contravention of this Act in any place other than a factory or workshop, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and an inspector appointed under the Factory and Workshop Acts, 1901 to 1911, shall, in relation to the case, have the same powers and duties as if the place in which the woman or young person is employed were a factory or workshop.

Interpretation.

6. In this Act—

The expression "young person" means a person who is under the age of eighteen years;

The expression "prescribed" means prescribed by order made by the Secretary of State, and the provisions of paragraph (*a*) of subsection (3) and subsections (4), (6), and (7) of section seven of the Police, Factories, &c. (Miscellaneous Provisions) Act, 1916, shall apply with respect to orders made under this Act as they apply with respect to orders made under that section;

6 & 7 Geo. 5. c. 31.

The expression "lead compound" means any soluble compound of lead which is declared by order of the Secretary of State to be a lead compound for the purposes of this Act, and includes a mixture containing any such compound, but does not include an alloy containing lead:

The method of ascertaining whether any compound or mixture is a lead compound within the meaning of this Act shall be such as the Secretary of State may prescribe.

Short title, construction, and commencement.

7.—(1) This Act may be cited as the Women and Young Persons (Employment in Lead Processes) Act, 1920, and shall be construed as one with the Factory and Workshop Acts, 1901 to 1911, and this Act and those Acts may be cited together as the Factory and Workshop Acts, 1901 to 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one.

SCHEDULE.

RECOMMENDATION CONCERNING THE PROTECTION OF WOMEN AND CHILDREN AGAINST LEAD POISONING.

The General Conference recommends to the members of the International Labour Organisation that, in view of the danger involved to the function of maternity and to the physical development of children, women and young persons under the age of eighteen years be excluded from employment in the following processes :—

(*a*) In furnace work in the reduction of zinc or lead ores.

(*b*) In the manipulation, treatment, or reduction of ashes containing lead, and in the desilverizing of lead.

(*c*) In melting lead or old zinc on a large scale.

(*d*) In the manufacture of solder or alloys containing more than ten per cent. of lead.

(*e*) In the manufacture of litharge, massicot, red lead, white lead, orange lead, or sulphate, chromate, or silicate (frit) of lead.

(*f*) In mixing and pasting in the manufacture or repair of electric accumulators.

(*g*) In the cleaning of workrooms where the above processes are carried on.

It is further recommended that the employment of women and young persons under the age of eighteen years in processes involving the use of lead compounds be permitted only subject to the following conditions :—

(*a*) Locally applied exhaust ventilation, so as to remove dust and fumes at the point of origin.

(*b*) Cleanliness of tools and workrooms.

(*c*) Notification to Government authorities of all cases of lead poisoning, and compensation therefor.

(*d*) Periodic medical examination of the persons employed in such processes.

(*e*) Provision, of sufficient and suitable cloakroom, washing, and mess-room accommodation, and of special protective clothing.

(*f*) Prohibition of bringing food or drink into workrooms.

CHAPTER 63.

An Act to provide for the inclusion in Orders made under the Summary Jurisdiction (Married Women) Act, 1895, of a provision for the Maintenance of the Children of the Marriage under sixteen. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision for maintenance of children. 59 & 60 Vict. c. 39. 2 Edw. 7. c. 28.

1.—(1) An order under section four of the Summary Jurisdiction (Married Women) Act, 1895, whether as originally enacted or as extended by section five of the Licensing Act, 1902, made on the application of a married woman, which contains a provision committing the legal custody of any children of the marriage to the applicant, may, in addition to any other provision authorised by the Act, include a provision that the husband shall pay to the applicant, or to any officer of the court or third person on her behalf, a weekly sum not exceeding ten shillings for the maintenance of each such child until such child attains the age of sixteen years.

(2) Any such order made before the passing of this Act may be varied, on the application of the married woman, so as to include from the date of the variation of the order such a provision for the maintenance of the children as aforesaid.

Short title.

2. This Act may be cited as the Married Women (Maintenance) Act, 1920, and the Summary Jurisdiction (Married Women) Act, 1895, and this Act may be cited together as the Married Women (Maintenance) Acts, 1895 and 1920.

CHAPTER 64.

An Act to amend the Law regarding the Property of Married Women in Scotland. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

The right of administration wholly abolished.

1. After the passing of this Act the property, heritable or moveable, of a married woman shall not be subject to the right of administration of her husband, and that right is hereby wholly abolished, and a married woman shall, with regard to her estate, have the same powers of disposal as if she were unmarried;

and any deed or writing executed by her with reference to her heritable estate in Scotland or to her moveable estate shall be as valid and effectual as if executed by her with consent of her husband according to the present law and practice.

Husband to be curator to his wife only during her minority.

2. A husband of full age, and subject to no legal incapacity, whose wife is in minority, shall be her curator during her minority, but no longer; but where the husband is in minority at the date of the marriage, or subject to some legal incapacity, the wife's father, or other curator, if she have any, shall be entitled to continue to act as such until she attains majority, or her husband's curatory commences.

Contracts and capacity to sue and be sued.

3.—(1) A married woman shall be capable of entering into contracts and incurring obligations, and be capable of suing and being sued, as if she were not married, and her husband shall not be liable in respect of any contract she may enter into or obligation she may incur on her own behalf.

(2) A married woman, if living apart from or deserted by her husband, shall, on entering into any contract for the supply of goods or furnishings for herself or for her children, be deemed to bind her own estate in the same way as if she were unmarried, but without prejudice to the right of the person who supplied such goods or furnishings to recover the price thereof from such husband, if he shall be liable therefor in accordance with the present law.

A married woman to be liable for maintenance of indigent husband.

4. In the event of a husband being unable to maintain himself, his wife, if she shall have a separate estate, or have a separate income more than reasonably sufficient for her own maintenance, shall be bound out of such separate estate to provide her husband with such maintenance as he would in similar circumstances be bound to provide for her, or out of such income to contribute such sum or sums towards such maintenance as her husband would in similar circumstances be bound to contribute towards her maintenance.

Donations inter virum et uxorem to be irrevocable.

5. Donations inter virum et uxorem shall be irrevocable by the donors: Provided that—

(*a*) this enactment shall not take effect as regards donations made or granted before the passing of this Act until the expiry of one year from and after that date;

(*b*) any donation completed within a year and day before the sequestration of the estates of the donor under the Bankruptcy (Scotland) Act, 1913, or any amending statute, shall be revocable at the instance of the creditors of such donor.

3 & 4 Geo. 5. c. 20.

Saving for marriage contracts.

6. Subject always to the provisions of section one of this Act, nothing in this Act contained shall apply to any provision made in favour of or reserved by either spouse by Antenuptial Contract of Marriage whether dated before or after the passing

of this Act, and all such provisions shall be as valid and irrevocable in all respects as if this Act had not been passed.

Application.

7. This Act shall apply where the husband is domiciled in Scotland; and

(1) notwithstanding that the husband shall be domiciled furth of Scotland, the enactment contained in section one of this Act shall apply with regard to the heritable property in Scotland of his wife; and

(2) the enactment contained in section five of this Act shall apply to all estate situated in Scotland, and by the law of Scotland heritable as between husband and wife, although the donor of such estate shall be domiciled furth of Scotland.

Citation.

8. This Act may be cited as the Married Women's Property (Scotland) Act, 1920, and the Married Women's Property (Scotland) Act, 1881, and this Act may be cited together as the Married Women's Property (Scotland) Acts, 1881 and 1920.

CHAPTER 65.

An Act to carry out certain Conventions relating to the employment of Women, Young Persons, and Children, and to amend the law with respect to the employment of Women and Young Persons in Factories and Workshops. [23rd December 1920.]

WHEREAS at Washington, on the twenty-eighth day of November, nineteen hundred and nineteen, a general conference of the International Labour Organisation of the League of Nations adopted three conventions containing (together with other provisions) the provisions set out in Part I., Part II. and Part III. of the Schedule to this Act:

And whereas at Genoa on the ninth day of July, nineteen hundred and twenty, a general conference of the International Labour Organisation of the League of Nations adopted a convention containing (together with other provisions) the provisions set out in Part IV. of the Schedule to this Act:

And whereas it is expedient that for the purpose of carrying out the said conventions the provisions hereinafter contained should have effect:

And whereas it is expedient to make further provision as to the conditions under which women and young persons may be employed in factories and workshops:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Restrictions on the employment of women, young persons, and children in industrial undertakings.

1.—(1) No child shall be employed in any industrial undertaking.

(2) No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV. of the Schedule to this Act.

(3) No young person or woman shall be employed at night in any industrial undertaking, except to the extent to which and in the circumstances in which such employment is permitted under the Conventions set out in Part II. and Part III. respectively of the Schedule to this Act.

(4) Where young persons are employed in any industrial undertaking, a register of the young persons so employed, and of the dates of their birth, and of the dates on which they enter and leave the service of their employer, shall be kept and shall at all times be open to inspection.

57 & 58 Vict c. 60.

(5) There shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection.

1 & 2 Geo. 5. c. 0.

(6) This section, so far as it relates to employment in coal mines, metalliferous mines and quarries, and factories and workshops, shall have effect as if it formed part of the Coal Mines Act, 1911, and the Acts amending that Act, the Metalliferous Mines Regulation Acts, 1872 and 1875, and the Factory and Workshops Acts, 1901 to 1911, respectively; and the provisions of those Acts relating to registers to be kept thereunder shall apply to the registers required to be kept under this Act.

This section, so far as it relates to employment in a ship, shall have effect as if it formed part of the Merchant Shipping Acts, 1894 to 1920.

In the case of employment in any place other than the places aforesaid or in any ship—

(*a*) If any person employs a child or a young person in any industrial undertaking in contravention of this Act, he shall be deemed to have employed a child

3 Edw. 7. c. 45.

or young person in contravention of the Employment of Children Act, 1903, and subsections (1) and (2) of section five and section six and section eight of that Act shall apply accordingly as if they were herein re-enacted and in terms made applicable to children and young persons within the meaning of this Act; and

(*b*) If any child is employed in any ship in contravention of this Act, the master of the ship shall be liable for each offence to a fine not exceeding forty shillings, or, in the case of a second or subsequent offence, not exceeding five pounds, and where a child is taken into employment in any ship in contravention of this Act on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable on summary conviction to a fine not exceeding forty shillings; and

(*c*) If any person being the employer of a young person fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of a local authority under the said Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds; and

(*d*) If the master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of the Board of Trade or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts, 1894 to 1920, he shall be liable to a fine not exceeding twenty pounds; and

(*e*) If a person employs a woman in contravention of this Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and an inspector appointed under the Factory and Workshop Acts, 1901 to 1911, shall, in relation to the case, have the same powers and duties as if the place in which the woman is employed were a factory or workshop.

Employment of women and young persons in shifts.

2.—(1) The Secretary of State may, on the joint application of the employer or employers of any factory or workshop or group of factories or workshops, and the majority of the workpeople concerned in such factory or workshop or group of factories or workshops, subject to the provisions of this section, make orders authorising the employment of women and young

persons of the age of sixteen years and upwards in any factory or workshop or group of factories or workshops at any time between the hours of six in the morning and ten in the evening on any weekday except Saturday, and between the hours of six in the morning and two in the afternoon on Saturday, in shifts averaging for each shift not more than eight hours per day:

Provided that, if a joint representation is made to the Secretary of State by organisations representing a majority of the employers and workers in the industry concerned or the section of industry concerned, as the case may be, to the effect that orders under this section ought not to be made in respect of factories and workshops in that industry or section of industry, the powers of the Secretary of State to make orders under this section shall cease to be exercisable as regards that industry or section of industry unless and until the representation is withdrawn by the said organisations, and, if any such representation so requires, any order previously made in respect of a factory or workshop in that industry or section of industry shall, on the expiration of such reasonable period, not exceeding four months, as the Secretary of State may fix, cease to have effect.

Particulars of every order made under this section shall be published forthwith in the London Gazette, and no representation as respects factories and workshops in the industry or section of industry to which the order relates shall be of any effect unless made within one month from the date of the publication of the order.

(2) An order under this section shall be subject to such conditions as the Secretary of State may consider necessary for the purpose of safeguarding the welfare and interests of the persons employed in pursuance of the order, and shall include a condition empowering the Secretary of State to revoke the order in the event of non-compliance with the conditions thereof, or in the event of it appearing to the Secretary of State that abuses of any description have arisen out of the employment of any persons in pursuance of the order.

(3) The Secretary of State may by order direct that such conditions as he may consider necessary for the purpose of safeguarding the welfare and interests of the persons employed shall apply to the employment in day shifts of young persons who may lawfully be so employed under the provisions of the Factory and Workshop Acts, 1901 to 1911.

(4) Notwithstanding anything in this section, an order under this section may permit the employment in any factory or workshop in such shifts as aforesaid of young persons under the age of sixteen years who are at the commencement of this Act so employed in that factory or workshop.

(5) If the conditions imposed by any order made under this section are not complied with in the case of any woman or young person, that woman or young person shall be deemed to be employed in contravention of the Factory and Workshop Act, 1901.

1 Edw. 7. c. 22.

(6) This section shall remain in force for a period of five years from the commencement of this Act and no longer, and any order made under this section shall, unless previously revoked by the Secretary of State in pursuance of his powers under this section, remain in force for a like period.

(7) This section shall be construed as one with the Factory and Workshop Acts, 1901 to 1911.

Savings.

3.—(1) The provisions of this Act shall be in addition to and not in derogation of any of the provisions of any other Act restricting the employment of women, young persons, or children.

(2) Nothing in this Act shall apply to an industrial undertaking or ship in which only members of the same family are employed.

(3) Nothing in this Act shall prevent the employment in any industrial undertaking or ship of a child lawfully so employed at the commencement of this Act.

Interpretation.

4. In this Act—

The expression "child" means a person under the age of fourteen years;

The expression "young person" means a person who has ceased to be a child and who is under the age of eighteen years;

The expression "woman" means a woman of the age of eighteen years or upwards;

The expression "industrial undertaking" has with respect to the employment of children, young persons, and women the meanings respectively assigned thereto in the Conventions set out in Parts I., II., and III. of the Schedule to this Act;

The expression "ship" means any sea-going ship or boat of any description which is registered in the United Kingdom as a British ship and includes any British fishing boat entered in the fishing boat register.

Short title and commencement.

5.—(1) This Act may be cited as the Employment of Women, Young Persons, and Children Act, 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one, or on such later date or dates as the Secretary of State may by order appoint, and different dates may be appointed for different provisions of this Act and for different industries or different branches of any industry.

SCHEDULE.

Sections 1 and 4.

PART I.

CONVENTION FIXING MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly:—

(*a*) Mines, quarries and other works for the extraction of minerals from the earth.

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

(*d*) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

PART II.

CONVENTION CONCERNING THE NIGHT WORK OF YOUNG PERSONS EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly:—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth:

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind.

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction as well as the preparation for or laying the foundations of any such work or structure:

(*d*) Transport of passengers or goods by road or rail, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

(*a*) Manufacture of iron and steel; process in which reverberatory or regenerative furnaces are used, and galvanizing of sheet metal or wire (except the pickling process).

(*b*) Glass works.

(*c*) Manufacture of paper.

(*d*) Manufacture of raw sugar.

(*e*) Gold mining reduction work

ARTICLE 3.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

* * * * * *

ARTICLE 4.

The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

* * * * * *

ARTICLE 7.

The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

PART III.

CONVENTION CONCERNING THE NIGHT WORK OF WOMEN EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly :—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth :

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind :

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

ARTICLE 3.

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 4.

Article 3 shall not apply :—

(*a*) In cases of force majeure, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.

(*b*) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

* * * * * *

ARTICLE 6.

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

PART IV.

CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA.

ARTICLE 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned : it excludes ships of war.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

CHAPTER 66.

An Act to amend the enactments relative to Compensation for Criminal Injuries in Ireland.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Payment of criminal injuries compensation.

1.—(1) Where a decree has been made against a county council whether before or after the passing of this Act under any of the enactments relative to compensation for criminal injuries, the amount recovered shall be a debt due by the council and payable by them on demand, and it shall be the duty of the treasurer of the council on demand to pay the amount out of the moneys under his control as such treasurer, and if those are insufficient, out of the first moneys coming to his hands as such treasurer whether such moneys represent sums raised for compensation for criminal injuries or sums raised for or applicable to any other purpose.

(2) If it appears to the Lord Lieutenant, on representations made by the council and approved by the Local Government Board, that, having regard to the rateable value of the area off which the amount recovered is to be levied and the circumstances affecting that area, the amount could not be raised by means of a rate in one year without imposing an excessive burden on the ratepayers, the Lord Lieutenant may by order direct that the amount, instead of being payable on demand, shall, as regards the whole or any part thereof specified in the order, be payable by instalments of such sums, payable at such times, not being later in any case than five years from the date aforesaid, as may be specified in the order, and the order may contain such incidental, supplemental, or consequential provisions as appear to the Lord Lieutenant to be necessary or proper, including provisions for immediate payment of the whole amount due in the event of default in payment of any instalments.

(3) Subsection (4) of section one of the Criminal Injuries (Ireland) Act, 1919, is hereby repealed. 9 & 10 Geo. 5. c. 14.

Deduction of criminal injuries compensation from grants payable to local authorities.

2.—(1) Where any such decree has been made against a council whether before or after the passing of this Act, the Lord Lieutenant, if, on the application of the person by whom the decree was recovered or of any other person entitled to receive the amount recovered, he is satisfied that the amount recovered or any part thereof remains unpaid and that immediate payment cannot otherwise be obtained, may make an order directing that the amount or part thereof shall be deducted from the sums which but for the order would be payable to the council out of:

(*a*) the Local Taxation (Ireland) Account;

(*b*) any fund administered by any Government department; or

(*c*) any parliamentary grant,

and the deductions shall be made and the sums deducted be applied in payment of the said amount or part thereof accordingly, and, as respects deductions from any parliamentary grant, sums deducted and applied in accordance with the order shall be deemed to have been applied for the purposes for which the grant was voted notwithstanding anything to the contrary in any Act.

In this section the expression "Government department" includes the Commissioners of Public Works in Ireland, the Irish Insurance Commissioners, the Congested Districts Board for Ireland, the Registrar of Petty Sessions Clerks, and any other public department, and any Minister of the Crown acting as the head of a Government department.

(2) The powers given by the last preceding subsection shall, as respects the Local Taxation (Ireland) Account, be without prejudice to the guarantee fund under the Purchase of Land (Ireland) Act, 1891, or any right of deduction given by subsection (2) of section eighty of the Local Government (Ireland) Act, 1898.

54 & 55 Vict. c. 48.

61 & 62 Vict. c. 37.

(3) An order of the Lord Lieutenant under this section may contain such incidental, supplemental, and consequential provisions as appear to the Lord Lieutenant to be necessary or proper, and in particular—

(*a*) may prescribe the manner in which the deductions and payments thereby directed are to be made and applied;

(*b*) may direct the deduction to be made from sums payable to a council in the current or any subsequent local financial year until the amount recovered has been discharged; and

(*c*) may specify the particular payments out of the Local Taxation (Ireland) Account, fund or parliamentary grant from which the deductions are to be made,

and, if necessary, the order in which the account grant, fund, or payments are to be liable to deduction and provide for the final determination, in such manner as the Lord Lieutenant thinks proper, of any questions arising in connection with the order,

and every such order shall have effect as if enacted in this Act, but may be revoked or altered by a subsequent order.

Attachment of rates to answer decrees for compensation for criminal injuries. 27 & 28 Vict. c. 99.

3. Any decree made against a county council whether before or after the passing of this Act for compensation for criminal injuries may, irrespective of the amount recovered, be removed to the High Court on certiorari under section nine of the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, and any rates payable by any ratepayer to the council may, as well as any other debts due to the council, be attached to answer the amount recovered by the decree when so removed, together with the costs of or incidental to the proceedings in the High Court, including the costs of the removal.

Interest on compensation awarded

4. Where a decree is made against a county council after the passing of this Act for compensation for criminal injuries, the amount recovered (excluding therefrom any sums recovered for costs or expenses) shall carry interest at the rate of five per cent. per annum from the date of the service of the preliminary notice of application upon the secretary of the county council where the compensation is awarded in respect of a murder or criminal injuries to the person, and from the date of the decision of the county court in other cases, and payment of such interest may be enforced in like manner as if it were part of the amount recovered. The foregoing provisions of this section shall apply also in the case of decrees made before the passing of this Act for compensation in respect of criminal injuries, whether to person or property, committed or inflicted at any time after the first day of January nineteen hundred and seventeen, but only as respects so much of the amount recovered as shall have remained unpaid at the time of the passing of this Act.

Rates and borrowing. 61 & 62 Vict. c. 37. 63 & 64 Vict. c. 63.

5.—(1) Notwithstanding anything in subsection (6) of section fifty-one of the Local Government (Ireland) Act, 1898, or in section two of the Local Government (Ireland) Act, 1900, or any other enactment, a rate may be made at any time for raising money for the payment of compensation for criminal injuries, and the amount thereof shall not be reckoned for the purposes of any enactment imposing a limitation upon the amount of the rate that may be raised.

(2) A county council may, with the approval of the Local Government Board, borrow such sums, upon such terms and conditions as may be sanctioned by the Board, for the purpose of raising money for the payment of compensation for criminal

injuries or to make good deficiencies caused by payments made by the treasurer under this Act or by the exercise of any powers or remedies given by this Act, and money so borrowed shall not be reckoned as part of the debt of the county council for the purposes of any enactment imposing a limit upon the amount borrowed by the council.

(3) The obligation to raise by means of rates the amount recovered by a decree for such compensation off the area or areas specified in the decree shall not be affected by the discharge of the amount or any part thereof by means of deductions or in any other manner authorised by this Act.

Extension of times, &c. 6 & 7 Will. 4. c. 116.

6.—(1) Section one hundred and thirty-seven of the Grand Jury (Ireland) Act, 1836, which relates to the giving in of examinations and the making of recognisances, shall cease to have effect.

(2) The powers of the court or judge under any rules of court made in pursuance of subsection (7) of section five of the Local Government (Ireland) Act, 1898, shall include power to extend or vary the time prescribed by any statute or statutory rules for making an application for compensation for criminal injuries or for serving any notice or for doing any other act, or taking any proceedings in relation to the application, in any case where it appears to the court or judge that such extension or variation is just and reasonable for any cause whatsoever.

61 & 62 Vict. c. 37.

(3) Where an application is made in respect of a murder or other criminal injuries (whether to person or property) committed or inflicted at any time after the first day of January nineteen hundred and seventeen, and a former application made by the same person in respect of the same injuries was refused by the county court or judge of assize at any time prior to the passing of this Act, the application may be reheard and determined, notwithstanding such refusal, if the court or judge is satisfied—

(*a*) that the former application would not have been refused had this Act been then in operation; or

(*b*) that the refusal was due to the applicant's having abandoned the application by reason of threats, intimidation, or apprehension of violence;

and that it is just and reasonable that the powers given by this section should be exercised for the purpose of enabling the application to be reheard and determined.

Amendment of 9 & 10 Geo. 5. c. 14.

7. The Criminal Injuries (Ireland) Act, 1919, shall be amended as follows:—

(*a*) Paragraph (*b*) of subsection (1) of section one shall apply, and be deemed always to have applied, to the classes of persons mentioned in paragraph (*a*) of the

said subsection in like manner as it applies to other persons, and shall have effect and be deemed always to have had effect as if the words "or assembly" were added at the end thereof:

(*b*) Subsection (3) of section one shall be extended so as to apply in the case of compensation awarded in respect of criminal injuries to property as well as in the case of compensation awarded in respect of murder or criminal injuries to the person:

(*c*) Subsection (5) of section one, which relates to the power to make rules of court, shall apply for the purposes of this Act in like manner as it applies for the purposes of the said section.

Appointment of a person to act temporarily as additional judge of a county court.

8. If the Lord Chancellor is satisfied that the judge of any county court is unable, owing to the number of applications for compensation for criminal injuries which are pending in his court to transact the business of the court with proper dispatch, the Lord Chancellor may appoint the judge of the county court of any other county or county borough or a practising barrister of not less than ten years' standing to act as additional judge of the county court for such time as the Lord Chancellor may direct, and subject to any conditions which he may impose.

Any additional judge so appointed shall have all the powers, jurisdiction, and privileges and may perform any of the duties of the judge of the first-mentioned county court, whether under the enactments relative to compensation for criminal injuries or otherwise.

Powers of Act cumulative.

9. Every power given by this Act for the enforcement of payment of compensation in respect of criminal injuries shall be in addition to, and not in derogation of, any other powers or rights for the purpose, whether given by this or any other Act or existing at law or by custom or otherwise:

Provided that, where the amount recovered is payable by instalments pursuant to an order of the Lord Lieutenant under this Act, such powers and remedies shall be exerciseable subject to the terms of the order.

Short title and extent.

10. This Act may be cited as the Criminal Injuries (Ireland) Act, 1920, and shall apply to Ireland only.

CHAPTER 67.

An Act to provide for the better Government of Ireland. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

ESTABLISHMENT OF PARLIAMENTS FOR SOUTHERN IRELAND AND NORTHERN IRELAND AND A COUNCIL OF IRELAND.

Establishment of Parliaments of Southern and Northern Ireland.

1.—(1) On and after the appointed day there shall be established for Southern Ireland a Parliament to be called the Parliament of Southern Ireland consisting of His Majesty, the Senate of Southern Ireland, and the House of Commons of Southern Ireland, and there shall be established for Northern Ireland a Parliament to be called the Parliament of Northern Ireland consisting of His Majesty, the Senate of Northern Ireland, and the House of Commons of Northern Ireland.

(2) For the purposes of this Act, Northern Ireland shall consist of the parliamentary counties of Antrim, Armagh, Down, Fermanagh, Londonderry and Tyrone, and the parliamentary boroughs of Belfast and Londonderry, and Southern Ireland shall consist of so much of Ireland as is not comprised within the said parliamentary counties and boroughs.

Constitution of Council of Ireland.

2.—(1) With a view to the eventual establishment of a Parliament for the whole of Ireland, and to bringing about harmonious action between the parliaments and governments of Southern Ireland and Northern Ireland, and to the promotion of mutual intercourse and uniformity in relation to matters affecting the whole of Ireland, and to providing for the administration of services which the two parliaments mutually agree should be administered uniformly throughout the whole of Ireland, or which by virtue of this Act are to be so administered, there shall be constituted, as soon as may be after the appointed day, a Council to be called the Council of Ireland.

(2) Subject as hereinafter provided, the Council of Ireland shall consist of a person nominated by the Lord Lieutenant acting in accordance with instructions from His Majesty who shall be President and forty other persons, of whom seven shall be members of the Senate of Southern Ireland, thirteen shall be members of the House of Commons of Southern Ireland, seven shall be members of the Senate of Northern Ireland, and thirteen shall be members of the House of Commons of Northern Ireland.

The members of the Council of Ireland shall be elected in each case by the members of that House of the Parliament

of Southern Ireland or Northern Ireland of which they are members.

The election of members of the Council of Ireland shall be the first business of the Senates and Houses of Commons of Southern Ireland and Northern Ireland.

A member of the Council shall, on ceasing to be a member of that House of the Parliament of Southern Ireland or Northern Ireland by which he was elected a member of the Council, cease to be a member of the Council: Provided that, on the dissolution of the Parliament of Southern Ireland or Northern Ireland, the persons who are members of the Council elected by either House of that Parliament shall continue to hold office as members of the Council until the date of the first meeting of the new Parliament and shall then retire unless re-elected.

The President of the Council shall preside at each meeting of the Council at which he is present and shall be entitled to vote in case of an equality of votes, but not otherwise.

The first meeting of the Council shall be held at such time and place as may be appointed by the Lord Lieutenant.

The Council may act notwithstanding a vacancy in their number, and the quorum of the Council shall be fifteen; subject as aforesaid, the Council may regulate their own procedure, including the delegation of powers to committees.

(3) The constitution of the Council of Ireland may from time to time be varied by identical Acts passed by the Parliament of Southern Ireland and the Parliament of Northern Ireland, and the Acts may provide for all or any of the members of the Council of Ireland being elected by parliamentary electors, and determine the constituencies by which the several elective members are to be returned and the number of the members to be returned by the several constituencies and the method of election.

POWER TO ESTABLISH A PARLIAMENT FOR THE WHOLE OF IRELAND.

Power to establish a Parliament for the whole of Ireland.

3.—(1) The Parliaments of Southern Ireland and Northern Ireland may, by identical Acts agreed to by an absolute majority of members of the House of Commons of each Parliament at the third reading (hereinafter referred to as constituent Acts), establish, in lieu of the Council of Ireland, a Parliament for the whole of Ireland consisting of His Majesty and two Houses (which shall be called and known as the Parliament of Ireland), and may determine the number of members thereof and the manner in which the members are to be appointed or elected, and the constituencies for which the several elective members are to be returned, and the number of members to be returned by the several constituencies, and the method of appointment or election, and the relations of the two Houses to one another; and the date at which the Parliament of Ireland is established is hereinafter referred to as the date of Irish union:

Provided that the Bill for a constituent Act shall not be introduced except upon a resolution passed at a previous meeting of the House in which the Bill is to be introduced.

(2) On the date of Irish union the Council of Ireland shall cease to exist and there shall be transferred to the Parliament and Government of Ireland all powers then exerciseable by the Council of Ireland, and (except so far as the constituent Acts otherwise provide) the matters which under this Act cease to be reserved matters at the date of Irish union, and any other powers for the joint exercise of which by the Parliaments or Governments of Southern and Northern Ireland provision has been made under this Act.

(3) There shall also be transferred to the Parliament and Government of Ireland, except so far as the constituent Acts otherwise provide, all the powers and duties of the Parliaments and Governments of Southern Ireland and Northern Ireland, including all powers as to taxation, and, unless any powers and duties are retained by the Parliaments and Governments of Southern Ireland and Northern Ireland under the constituent Acts, those Parliaments and Governments shall cease to exist:

Provided that, if any powers and duties are so retained, the constituent Acts shall make provision with respect to the financial relations between the Exchequers of Southern and Northern Ireland on the one hand and the Irish Exchequer on the other.

(4) If by the constituent Acts any powers and duties are so retained as aforesaid, the Parliaments of Southern Ireland and Northern Ireland may subsequently by identical Acts transfer any of those powers and duties to the Government and Parliament of Ireland, and, in the event of all such powers and duties being so transferred, the Parliaments and Governments of Southern Ireland and Northern Ireland shall cease to exist.

LEGISLATIVE POWERS.

Legislative powers of Irish Parliaments.

4.—(1) Subject to the provisions of this Act, the Parliament of Southern Ireland and the Parliament of Northern Ireland shall respectively have power to make laws for the peace, order, and good government of Southern Ireland and Northern Ireland with the following limitations, namely, that they shall not have power to make laws except in respect of matters exclusively relating to the portion of Ireland within their jurisdiction, or some part thereof, and (without prejudice to that general limitation) that they shall not have power to make laws in respect of the following matters in particular, namely:—

(1) The Crown or the succession to the Crown, or a regency, or the property of the Crown (including foreshore vested in the Crown), or the Lord Lieutenant, except as respects the exercise of his executive power in

relation to Irish services as defined for the purposes of this Act; or

(2) The making of peace or war, or matters arising from a state of war; or the regulation of the conduct of any portion of His Majesty's subjects during the existence of hostilities between foreign states with which His Majesty is at peace, in relation to those hostilities; or

(3) The navy, the army, the air force, the territorial force, or any other naval, military, or air force, or the defence of the realm, or any other naval, military, or air force matter (including any pensions and allowances payable to persons who have been members of or in respect of service in any such force or their widows or dependants, and provision for the training, education, employment and assistance for the reinstatement in civil life of persons who have ceased to be members of any such force); or

(4) Treaties, or any relations with foreign states, or relations with other parts of His Majesty's dominions, or matters involving the contravention of treaties or agreements with foreign states or any part of His Majesty's dominions, or offences connected with any such treaties or relations, or procedure connected with the extradition of criminals under any treaty, or the return of fugitive offenders from or to any part of His Majesty's dominions; or

(5) Dignities or titles of honour; or

(6) Treason, treason felony, alienage, naturalization, or aliens as such, or domicile; or

(7) Trade with any place out of the part of Ireland within their jurisdiction, except so far as trade may be affected by the exercise of the powers of taxation given to the said parliaments, or by regulations made for the sole purpose of preventing contagious disease, or by steps taken by means of inquiries or agencies out of the part of Ireland within their jurisdiction for the improvement of the trade of that part or for the protection of traders of that part from fraud; the granting of bounties on the export of goods; quarantine; navigation, including merchant shipping (except as respects inland waters, the regulation of harbours, and local health regulations); or

(8) Submarine cables; or

(9) Wireless telegraphy; or

(10) Aerial navigation; or

(11) Lighthouses, buoys, or beacons (except so far as they can consistently with any general Act of the Parliament

of the United Kingdom be constructed or maintained by a local harbour authority); or

(12) Coinage; legal tender; negotiable instruments (including bank notes) except so far as negotiable instruments may be affected by the exercise of the powers of taxation given to the said Parliaments; or any change in the standard of weights and measures; or

(13) Trade marks, designs, merchandise marks, copyright, or patent rights; or

(14) Any matter which by this Act is declared to be a reserved matter, so long as it remains reserved.

Any law made in contravention of the limitations imposed by this section shall, so far as it contravenes those limitations, be void.

(2) The limitation on the powers of the said Parliaments to the making of laws with respect to matters exclusively relating to the portion of Ireland within their respective jurisdictions shall not be construed so as to prevent the said Parliaments by identical legislation making laws respecting matters affecting both Southern and Northern Ireland.

Prohibition of laws interfering with religious equality, taking property without compensation, &c.

5.—(1) In the exercise of their power to make laws under this Act neither the Parliament of Southern Ireland nor the Parliament of Northern Ireland shall make a law so as either directly or indirectly to establish or endow any religion, or prohibit or restrict the free exercise thereof, or give a preference, privilege, or advantage, or impose any disability or disadvantage, on account of religious belief or religious or ecclesiastical status, or make any religious belief or religious ceremony a condition of the validity of any marriage, or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at that school, or alter the constitution of any religious body except where the alteration is approved on behalf of the religious body by the governing body thereof, or divert from any religious denomination the fabric of cathedral churches, or, except for the purpose of roads, railways, lighting, water, or drainage works, or other works of public utility upon payment of compensation, any other property, or take any property without compensation.

Any law made in contravention of the restrictions imposed by this subsection shall, so far as it contravenes those restrictions, be void.

(2) Any existing enactment by which any penalty, disadvantage, or disability is imposed on account of religious belief or on a member of any religious order as such shall, as from the appointed day, cease to have effect in Ireland.

Conflict of laws.

6.—(1) Neither the Parliament of Southern Ireland nor the Parliament of Northern Ireland shall have power to repeal or alter any provision of this Act (except as is specially provided by this

Act), or of any Act passed by the Parliament of the United Kingdom after the appointed day and extending to the part of Ireland within their jurisdiction, although that provision deals with a matter with respect to which the parliament have power to make laws.

(2) Where any Act of the Parliament of Southern Ireland or the Parliament of Northern Ireland deals with any matter with respect to which that Parliament has power to make laws which is dealt with by any Act of the Parliament of the United Kingdom passed after the appointed day and extending to the part of Ireland within its jurisdiction, the Act of the Parliament of Southern Ireland or the Parliament of Northern Ireland shall be read subject to the Act of the Parliament of the United Kingdom, and so far as it is repugnant to that Act, but no further, shall be void.

(3) Any order, rule or regulation made in pursuance of, or having the force of, an Act of Parliament of the United Kingdom shall be deemed to be a provision of an Act within the meaning of this section.

Powers of Council of Ireland to make orders respecting private Bill legislation for whole of Ireland.

7.—(1) The Council of Ireland shall have power to make orders with respect to matters affecting interests both in Southern Ireland and Northern Ireland, in any case where the matter—

(*a*) is of such a nature that if it had affected interests in one of those areas only it would have been within the powers of the Parliament for that area; and

(*b*) is a matter to affect which, it would, apart from this provision, have been necessary to apply to the Parliament of the United Kingdom by petition for leave to bring in a private Bill.

(2) The provisions contained in the First Schedule to this Act shall have effect with respect to the procedure for making such orders.

(3) Any order so made by the Council of Ireland under this section shall be presented to the Lord Lieutenant for His Majesty's assent, in like manner as a Bill passed by the Senate and House of Commons of Southern Ireland or Northern Ireland, and, on such assent being given, the order shall have effect in Southern and Northern Ireland respectively, as if enacted by the Parliament of Southern Ireland or Northern Ireland, as the case may be.

EXECUTIVE AUTHORITY.

Executive powers.

8.—(1) The executive power in Southern Ireland and in Northern Ireland shall continue vested in His Majesty the King, and nothing in this Act shall affect the exercise of that power,

except as respects Irish services as defined for the purposes of this Act.

(2) As respects Irish services, the Lord Lieutenant or other chief executive officer or officers for the time being appointed in his place, on behalf of His Majesty, shall exercise any prerogative or other executive power of His Majesty the exercise of which may be delegated to him by His Majesty:

Provided that, if any such power is delegated to the Lord Lieutenant in respect of Southern Ireland or Northern Ireland, the power shall also be delegated to him in respect of Northern Ireland or Southern Ireland.

(3) Subject to the provisions of this Act relating to the Council of Ireland, powers so delegated shall be exercised—

(*a*) in Southern Ireland, through such departments as may be established by Act of the Parliament of Southern Ireland, or, subject to any alteration by Act of that Parliament, by the Lord Lieutenant; and

(*b*) in Northern Ireland, through such departments as may be established by Act of the Parliament of Northern Ireland, or, subject to any alteration by Act of that Parliament, by the Lord Lieutenant;

and the Lord Lieutenant may appoint officers to administer those departments, and those officers shall hold office during the pleasure of the Lord Lieutenant.

(4) The persons who are for the time being heads of such departments of the Government of Southern Ireland as may be determined by Act of the Parliament of Southern Ireland or, in the absence of any such determination, by the Lord Lieutenant, and such other persons (if any) as the Lord Lieutenant may appoint, shall be the ministers of Southern Ireland:

The persons who are for the time being heads of such departments of the Government of Northern Ireland as may be determined by Act of the Parliament of Northern Ireland, or, in the absence of any such determination, by the Lord Lieutenant, and such other persons (if any) as the Lord Lieutenant may appoint, shall be the ministers of Northern Ireland:

Provided that—

(*a*) no such person shall be a minister of Southern Ireland or a minister of Northern Ireland unless he is a member of the Privy Council of Ireland; and

(*b*) no such person shall hold office as a minister of Southern Ireland or as a minister of Northern Ireland for a longer period than six months, unless he is or becomes a member of the Parliament of Southern Ireland or of Northern Ireland, as the case may be, but in reckoning those six months any time prior to the date of the first meeting of the Parliament of Southern Ireland or

of Northern Ireland, as the case may be, or during which that Parliament stands prorogued shall be excluded; and

(*c*) any such person not being the head of a department of the Government of Southern Ireland or a department of the Government of Northern Ireland shall hold office as a minister of Southern Ireland or a minister of Northern Ireland during the pleasure of the Lord Lieutenant in the same manner as the head of a department of the Government of Southern Ireland or a department of the Government of Northern Ireland holds his office.

(5) The persons who are ministers of Southern Ireland for the time being shall be an executive committee of the Privy Council of Ireland (to be called the Executive Committee of Southern Ireland) to aid and advise the Lord Lieutenant in the exercise of his executive power in relation to Irish services in Southern Ireland.

The persons who are ministers of Northern Ireland for the time being shall be an executive committee of the Privy Council of Ireland (to be called the Executive Committee of Northern Ireland) to aid and advise the Lord Lieutenant in the exercise of his executive power in relation to Irish services in Northern Ireland.

(6) In the exercise of power delegated to the Lord Lieutenant in pursuance of this section no preference, privilege, or advantage shall be given to, nor shall any disability or disadvantage be imposed on, any person on account of religious belief except where the nature of the case in which the power is exercised itself involves the giving of such preference, privilege, or advantage, or the imposing of such a disability or disadvantage.

(7) The seats of the Governments of Southern Ireland and Northern Ireland shall be at Dublin and Belfast, respectively, or such places as the Parliaments of Southern Ireland and Northern Ireland may respectively determine.

(8) For the purposes of this Act, "Irish services" in relation to Southern Ireland and Northern Ireland respectively are all public services in connection with the administration of civil government in Southern Ireland and Northern Ireland, except the administration of matters with respect to which the Parliament of Southern Ireland and the Parliament of Northern Ireland have under the provisions hereinbefore contained no power to make laws, including in this exception all public services in connection with the administration of matters by this Act declared to be reserved matters so long as they continue to be reserved; and the public services in connection

with the matters so reserved are in this Act referred to as reserved services.

Reserved matters.

9.—(1) The Royal Irish Constabulary and the Dublin Metropolitan Police and the management and control of those forces and the administration of the Acts relating thereto, including appointments, remuneration and removal of magistrates thereunder, shall be reserved matters until such date, not being later than the expiration of three years after the appointed day, as His Majesty in Council may determine, and on the date so determined the public services in connection with the administration of those Acts and the management and control of those forces shall, by virtue of this Act, be transferred from the Government of the United Kingdom to the Government of Southern Ireland as respects Southern Ireland and to the Government of Northern Ireland as respects Northern Ireland, and shall then cease to be reserved services and become Irish services :

Provided that, if the date of Irish union occurs before the said services are so transferred then, unless otherwise provided by the constituent Acts, those services shall as soon as may be after the date of Irish union be transferred from the Government of the United Kingdom to the Government of Ireland.

(2) The following matters, namely,—

(*a*) the postal service;

(*b*) the Post Office Savings Bank and Trustee Savings Banks;

(*c*) designs for stamps, whether for postal or revenue purposes;

(*d*) the registration of deeds; and

(*e*) the Public Record Office of Ireland;

shall be reserved matters until the date of Irish union, and thereafter if the constituent Acts so provide, and on that date if there should be no provision to the contrary in the constituent Acts, or at such later date (if any) as may be prescribed by those Acts, as the case may be, the public services in connection with the administration of those matters, except so far as they are matters with respect to which the Parliament of Ireland have not power to make laws, shall, by virtue of this Act, be transferred from the Government of the United Kingdom to the Government of Ireland, and shall then cease to be reserved services and become Irish services :

Provided that—

(*a*) if before the date of Irish union the Parliaments of Southern Ireland and Northern Ireland by identical Acts make provision for the transfer of any of the said services to the Council of Ireland or otherwise for the exercise of the powers relating thereto by the Parliaments and Governments of Southern

Ireland and Northern Ireland jointly, such services shall be transferred in accordance with those Acts, and shall, on such transfer, cease to be reserved services; and

(*b*) nothing in this subsection shall prevent the Parliament or Government of Southern Ireland or Northern Ireland establishing a Public Record Office of Southern Ireland or Northern Ireland, as the case may be, for the reception and preservation of public records appertaining to Southern Ireland or Northern Ireland which otherwise would be deposited in the Public Record Office of Ireland, and, if any such office is so established, provision may be made by the Lord Lieutenant for the removal to that office of such probates, letters of administration, or other testamentary records granted or coming into existence not earlier than twenty years prior to the appointed day as, in his opinion, properly belong to the part of Ireland in which the office is situated and can conveniently be removed to that office.

(3) The general subject-matter of the Acts relating to land purchase in Ireland shall be a reserved matter unless and until otherwise provided by any Act of the Parliament of the United Kingdom relating to land purchase in Ireland, passed in the present or any future session of that Parliament:

Provided that this reservation shall not include—

(*a*) the powers and duties of the Congested Districts Board for Ireland, other than the power of that Board to require advances to be made to them under section seventy-two of the Irish Land Act, 1903; and 3 Edw. 7. c. 37.

(*b*) the powers and duties of the Irish Land Commission and the Commissioners of Public Works in Ireland with respect to the collection and recovery of purchase annuities, and, except to such extent as may be provided by Irish transfer orders, the powers of the Irish Land Commission with respect to holdings subject to purchase annuities and the apportionment and consolidation of such annuities.

(4) On any transfer under or by virtue of this Act of any reserved matter, the general provisions of this Act (so far as applicable) and the provisions of this Act as to existing Irish officers and existing pensions shall apply with respect to the transfer, with the substitution of the date of the transfer for the appointed day or the date of the passing of this Act.

Powers of Council of Ireland.

10.—(1) The Parliaments of Southern Ireland and Northern Ireland may, by identical Acts, delegate to the Council of Ireland any of the powers of the Parliaments and Governments of Southern Ireland and Northern Ireland, and such Acts may

determine the manner in which the powers so delegated are to be exerciseable by the Council.

(2) With a view to the uniform administration throughout Ireland of public services in connection with railways and fisheries, and the administration of the Diseases of Animals Acts any powers (not being powers relating to reserved matters) exerciseable by any department of the Government of the United Kingdom at the appointed day with respect to railways and fisheries and the contagious diseases of animals in Ireland and the power of making laws with respect to railways and fisheries and the contagious diseases of animals shall, as from the appointed day, become powers of the Council of Ireland, and not of the Governments and Parliaments of Southern Ireland and Northern Ireland:

Provided that nothing in this subsection shall prevent the Parliament of Southern Ireland or of Northern Ireland making laws authorising the construction, extension, or improvement of railways where the works to be constructed are situate wholly in Southern Ireland or Northern Ireland as the case may be:

Provided also that the appointed day fixed for the purpose of this subsection shall be a date not earlier than the expiration of the period of two years mentioned in section three (1) of the Ministry of Transport Act, 1919, and all claims arising before the appointed day under section eight of the Ministry of Transport Act, 1919, or determinable as if they were claims so arising shall be satisfied by the Minister of Transport in accordance with that section. The rates, fares, tolls, dues, and other charges directed by the Minister of Transport under the Ministry of Transport Act, 1919, and in force on the appointed day, may be charged until fresh provision shall be made by the Council of Ireland, or the Parliament of the United Kingdom, with regard to the amount of any such rates, fares, tolls, dues, and other charges.

9 & 10 Geo. 5. c. 50.

(3) The Council may consider any questions which may appear in any way to bear on the welfare of both Southern Ireland and Northern Ireland, and may, by resolution, make suggestions in relation thereto as they may think proper, but suggestions so made shall have no legislative effect, and in particular it shall be the duty of the Council of Ireland as soon as may be after the constitution thereof to consider what Irish services ought in the common interest to be administered by a body having jurisdiction over the whole of Ireland, and what reserved services which are transferable on the passing of identical Acts ought to be so transferred, and to make recommendations to the Parliaments of Southern Ireland and Northern Ireland as to the advisability of passing identical Acts delegating to the Council of Ireland the administration of any such Irish services, with a view to avoiding the necessity of administering them separately in Southern Ireland or Northern Ireland, and providing for the

transfer of any such reserved services at the earliest possible date.

(4) Before any order made by the Council in exercise of any legislative powers vested in the Council comes into force, the order shall be presented to the Lord Lieutenant for His Majesty's assent in like manner as a Bill passed by the Senate and House of Commons of Southern Ireland or Northern Ireland, and, on such assent being given, the Order shall have effect in Southern Ireland and Northern Ireland, respectively, as if enacted by the Parliament of Southern Ireland or Northern Ireland, as the case may be.

(5) For the purposes of their powers and duties with respect to Private Bill legislation, railways and fisheries and diseases of animals the Council shall have power to appoint such officers as, with the consent of the Joint Exchequer Board, they may think necessary, and the salaries and remuneration of those officers, and any other expenses of the Council with respect to such matters as aforesaid, to such amount as the Joint Exchequer Board may approve shall, so far as not met by fees paid to or other receipts of the Council, be apportioned between Southern Ireland and Northern Ireland in such manner as the Joint Exchequer Board may determine, and the amounts so apportioned shall be charged on and paid out of the Consolidated Fund of Southern Ireland and the Consolidated Fund of Northern Ireland respectively; and for the purposes of their other powers and duties the Council shall have power to appoint such secretaries and officers as, subject to the consent of the Treasury of Southern Ireland and the Treasury of Northern Ireland, they may think fit, and the salary and remuneration of those officers and any other expenses of the Council to such amount as the said Treasuries may approve shall, so far as not met as aforesaid, be paid out of moneys provided by the Parliaments of Southern Ireland and Northern Ireland in such proportions as the said Treasuries may mutually agree, or in default of agreement may be determined by the Joint Exchequer Board hereinafter constituted.

(6) It shall be lawful for either Parliament at any time by Act to revoke the delegation to the Council of Ireland of any powers which are in pursuance of such identical Acts as aforesaid for the time being delegated to the Council and thereupon the powers in question shall cease to be exercisable by the Council of Ireland and shall become exercisable in the parts of Ireland within their respective jurisdictions by the Parliaments and Governments of Southern Ireland and Northern Ireland, and the Council shall take such steps as may be necessary to carry out the transfer, including adjustments of any funds in their hands or at their disposal:

Provided that this subsection shall not apply to any service which on ceasing to be a reserved service has, in pursuance of

identical Acts passed by the two Parliaments, been transferred to the Council of Ireland.

PROVISIONS AS TO PARLIAMENTS OF SOUTHERN AND NORTHERN IRELAND.

Summoning, &c., of parliaments.

11.—(1) There shall be a session of the Parliament of Southern Ireland and of the Parliament of Northern Ireland, once at least in every year, so that twelve months shall not intervene between the last sitting of either Parliament in one session and their first sitting in the next session.

(2) The Lord Lieutenant shall, in His Majesty's name, summon, prorogue, and dissolve the Parliament of Southern Ireland and the Parliament of Northern Ireland.

Royal assent to Bills.

12. The Lord Lieutenant shall give and withhold the assent of His Majesty to Bills passed by the Senate and House of Commons of Southern Ireland or the Senate and House of Commons of Northern Ireland, and to orders of the Council of Ireland, subject to the following limitations :—

(1) He shall comply with any instructions given by His Majesty in respect of any such Bill or order; and

(2) He shall, if so directed by His Majesty, reserve any such Bill or order for the signification of His Majesty's pleasure, and a Bill or order so reserved shall not have any force unless and until within one year from the day on which it was presented to the Lord Lieutenant for His Majesty's assent, the Lord Lieutenant makes known that it has received His Majesty's assent.

Constitution of Senates.

13.—(1) The Senate of Southern Ireland shall be constituted as provided in the Second Schedule to this Act.

(2) The Senate of Northern Ireland shall be constituted as provided in the Third Schedule to this Act.

(3) The provisions contained in the Fourth Schedule to this Act shall have effect with respect to the nomination, election and term of office of members of the Senates of Southern Ireland and Northern Ireland.

Constitution of Houses of Commons.

14.—(1) The House of Commons of Southern Ireland shall consist of one hundred and twenty-eight members returned by the constituencies in Ireland named in Part I. of the Fifth Schedule to this Act, and the number of members to be returned by each such constituency shall be the number mentioned in the second column of that Part.

(2) The House of Commons of Northern Ireland shall consist of fifty-two members returned by the constituencies in Ireland named in Part II. of the Fifth Schedule to this Act, and the number of members to be returned by each such constituency shall be the number mentioned in the second column of that Part.

(3) The members shall be elected by the same electors and in the same manner as members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, except that at any contested election of the full number of members the election shall be according to the principle of proportional representation, each elector having one transferable vote, as defined by the Representation of the People Act, 1918, and His Majesty in Council shall have the same power of making regulations in respect thereto as he has under subsection (3) of section twenty of that Act, and that subsection shall apply accordingly. 7 & 8 Geo. 5. c. 64.

(4) The House of Commons of Southern Ireland and the House of Commons of Northern Ireland when summoned shall, unless sooner dissolved, have continuance for five years from the day on which the summons directs the House to meet and no longer.

(5) After three years from the day of the first meeting of the Parliament of Southern Ireland or Northern Ireland, that Parliament may alter the qualification and registration of the electors, the law relating to elections and the questioning of elections, the constituencies, and the distribution of the members among the constituencies, provided that in any new distribution the number of the members shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.

Application of election laws.

15.—(1) All existing election laws relating to the Commons House of Parliament of the United Kingdom and the members thereof shall, so far as applicable and subject to the provisions of this Act, and especially to any provision enabling the Parliaments of Southern Ireland and Northern Ireland to alter those laws as respects the House of Commons of Southern Ireland and Northern Ireland respectively, extend to the House of Commons of Southern Ireland and Northern Ireland and the members thereof.

(2) His Majesty may, by Order in Council, make such provisions as may appear to him necessary or proper for making any provisions of the election laws applicable to elections of members of the Senate and House of Commons of Southern Ireland and Northern Ireland.

Money Bills.

16.—(1) Bills imposing taxation or appropriating revenue or moneys shall originate only in the House of Commons of Southern Ireland or Northern Ireland, but a Bill shall not be taken to impose taxation or to appropriate revenue or moneys by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the payment or appropriation of fees for licences or fees for services under the Bill.

(2) The House of Commons of Southern Ireland or Northern Ireland shall not adopt or pass any vote, resolution, address, or Bill for the appropriation for any purpose of any part of the public revenue of Southern Ireland or Northern

Ireland or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which the vote, resolution, address, or Bill is proposed.

(3) The Senate of Southern Ireland or Northern Ireland may not amend any Bills so far as they impose taxation or appropriate revenue or moneys for the services of the Government of Southern Ireland or Northern Ireland, or for services administered by the Council of Ireland and may not amend any Bill so as to increase any proposed charges or burdens on the people.

(4) Any Bill which appropriates revenue or moneys for the ordinary annual services of the Government of Southern Ireland or Northern Ireland, or services administered by the Council of Ireland, shall deal only with that appropriation.

Disagreement between two Houses of Parliament of Southern Ireland or Parliament of Northern Ireland.

17.—(1) If the House of Commons of Southern Ireland or Northern Ireland pass any Public Bill, which is sent up to the Senate of Southern Ireland or Northern Ireland at least one month before the end of the session and the Senate of Southern or Northern Ireland reject or fail to pass it or pass it with amendments to which the House of Commons will not agree, and if the House of Commons in the next session again pass the Bill with or without any amendments which have been made or agreed to by the Senate, and the Senate reject or fail to pass it or pass it with amendments to which the House of Commons will not agree, the Lord Lieutenant may, during that session, convene a joint sitting of the members of such two Houses.

(2) The members present at any such joint sitting may deliberate and shall vote together upon the Bill as last proposed by the House of Commons and upon the amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by a majority of the total number of members of such two Houses present at such sitting shall be taken to have been carried.

(3) If the Bill with the amendments, if any, so taken to have been carried is affirmed by a majority of the total number of members of the two Houses present at such sitting, it shall be taken to have been duly passed by both Houses.

Provided that, if the Senate of Southern Ireland or Northern Ireland shall reject or fail to pass any Bill dealing with the imposition of taxation or the appropriation of revenue or moneys for the public service, such joint sitting may be convened during the same session in which the Senate so reject or fail to pass such Bill.

Privileges, qualifications, &c. of members of the parliaments.

18.—(1) The powers, privileges, and immunities of the Senate and House of Commons of Southern Ireland and the Senate and House of Commons of Northern Ireland, and of the members and of the committees thereof, shall be such as may be defined by Act of the Parliament in question, and, until so

defined, shall be those held and enjoyed by the Commons House of Parliament of the United Kingdom and its members and committees at the date of the passing of this Act.

(2) The law for the time being in force relating to the qualification and disqualification of the members of the Commons House of Parliament of the United Kingdom, and the taking of any oath required to be taken by a member of that House, shall, save as otherwise provided by this Act, apply to the members of the Senate and House of Commons of Southern Ireland and members of the Senate and House of Commons of Northern Ireland.

(3) A person shall not be disqualified for being a member of the Senate or House of Commons of Southern Ireland or a member of the Senate or House of Commons of Northern Ireland by reason only that he is a peer, whether of the United Kingdom, Great Britain, England, Scotland, or Ireland.

(4) A member of the House of Commons of Southern Ireland or Northern Ireland shall be incapable of being chosen or elected or of sitting as a member of the Senate of Southern Ireland or Northern Ireland, and a member of the Senate of Southern Ireland or Northern Ireland shall be incapable of being chosen or elected or of sitting as a member of the House of Commons of Southern Ireland or Northern Ireland; but a Minister of Southern Ireland or Northern Ireland who is a member of either House of the Parliament of Southern Ireland or Northern Ireland shall have the right to sit and speak in both Houses, but shall vote only in the House of which he is a member.

(5) A member of the Senate or House of Commons of Southern Ireland or Northern Ireland may resign his seat by giving notice of resignation to the person and in the manner directed by standing orders of the House, or, if there is no such direction, by notice in writing of resignation sent to the Lord Lieutenant, and his seat shall become vacant on notice of resignation being given.

(6) The powers of the Council of Ireland or the Senate or House of Commons of Southern Ireland or Northern Ireland shall not be affected by any vacancy therein, or by any defect in the nomination, election, or qualification of any member thereof.

(7) His Majesty may, by Order in Council, declare that the holders of the offices in the executive of Southern Ireland and Northern Ireland named in the Order shall not be disqualified for being members of the Senate or House of Commons of Southern Ireland and Northern Ireland respectively by reason of holding office under the Crown, and, except as otherwise provided by Act of the Parliament of Southern Ireland or Northern Ireland, the Order shall have effect as if it were enacted in this Act, and on acceptance of any such office the seat of any such person in the House of Commons of Southern Ireland or Northern Ireland shall not be vacated.

IRISH REPRESENTATION IN THE HOUSE OF COMMONS.

Representation of Ireland in the House of Commons of the United Kingdom.

19. Unless and until the Parliament of the United Kingdom otherwise determine, the following provisions shall have effect:—

(*a*) After the appointed day the number of members to be returned by constituencies in Ireland to serve in the Parliament of the United Kingdom shall be forty-six, and the constituencies returning those members shall (in lieu of the existing constituencies) be the constituencies named in Parts I. and II. of the Fifth Schedule to this Act, and the number of members to be returned by each such constituency shall be the number mentioned in the third column of those Parts of that Schedule:

(*b*) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to elections of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, be altered by the Parliament of Southern Ireland or Northern Ireland:

(*c*) On the appointed day, the members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom shall vacate their seats, and writs shall, as soon as conveniently may be, be issued for the purpose of holding an election of members to serve in the Parliament of the United Kingdom for the constituencies, mentioned in Parts I. and II. of the Fifth Schedule to this Act.

FINANCIAL PROVISIONS.

Establishment of Southern and Northern Irish Exchequer.

20.—(1) There shall be an Exchequer and Consolidated Fund of Southern Ireland and an Exchequer and Consolidated Fund of Northern Ireland separate from one another and from those of the United Kingdom.

(2) All sums paid into the Exchequer of Southern Ireland and the Exchequer of Northern Ireland shall form the Consolidated Fund of Southern Ireland and the Consolidated Fund of Northern Ireland respectively, and, subject to the provisions of any Act of the Parliament of Southern Ireland or Northern Ireland, or this Act, or any other Act of the Parliament of the United Kingdom charging any sums on any such Consolidated Fund, all such sums shall be appropriated to the public service of Southern Ireland or Northern Ireland, as the case may be, by Act of the Parliament of Southern Ireland or Northern Ireland, and shall not be applied for any purpose for which they are not so appropriated.

(3) Save as may be otherwise provided by Act of the Parliament of Southern Ireland or Northern Ireland, the existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the

Exchequer and Consolidated Fund of Southern Ireland and Northern Ireland, and an officer shall be appointed by the Lord Lieutenant to be Comptroller and Auditor-General for Southern Ireland and Northern Ireland respectively.

(4) Save as may be otherwise provided by Act of the Parliament of Southern Ireland or Northern Ireland, the accounts of the Consolidated Fund of Southern Ireland and Northern Ireland respectively, shall be audited as appropriation accounts, in manner provided by the Exchequer and Audit Departments Act, 1866, and any Act amending the same, by or under the direction of the appropriate Comptroller and Auditor-General. 29 & 30 Vict. c. 39.

(5) For the purposes of this Act, any contributions by Southern Ireland and Northern Ireland towards the expenses of the Council of Ireland shall be treated as expenses of public services of Southern Ireland and Northern Ireland respectively.

Powers of taxation.

21.—(1) The power of the Parliaments of Southern Ireland and Northern Ireland to make laws shall include power to make laws with respect to the imposing, charging, levying, and collection of taxes within their respective jurisdictions, other than customs duties, excise duties on articles manufactured and produced, and excess profits duty, corporation profits tax, and any other tax on profits, and (except to the extent hereinafter mentioned) income tax (including super-tax), or any tax substantially the same in character as any of those duties or taxes, and the Governments of Southern Ireland and Northern Ireland shall have full control over the charging, levying, and collection of such taxes as their respective Parliaments have power to impose, and the proceeds of all such taxes shall be paid into the Consolidated Fund of Southern Ireland or Northern Ireland, as the case may be.

Provided that it shall not be competent for the Parliament of Southern Ireland or the Parliament of Northern Ireland to impose any tax, whether recurrent or non-recurrent, of the nature of a general tax upon capital, not being a tax substantially the same in character as an existing tax.

(2) Provision shall be made by the Parliaments of Southern Ireland and Northern Ireland for the cost within their respective jurisdictions of Irish services and, except as provided by this Act, any charge on the Consolidated Fund of the United Kingdom for those services, including any charge for the benefit of the Local Taxation (Ireland) Account, or any grant or contribution out of moneys provided by the Parliament of the United Kingdom so far as made for those services shall cease, and money for loans in Ireland shall cease to be advanced out of the Local Loans Fund.

(3) For the purposes of this Act, the excise duty on a licence granted to a manufacturer or producer of an article, the amount of which varies either directly or indirectly according to the amount of the article manufactured or produced, shall be treated as an excise duty on an article manufactured or produced; but,

save as aforesaid, nothing in this Act shall be construed as preventing the Parliaments of Southern Ireland and Northern Ireland from making laws with respect to excise licence duties, or duties of excise other than excise duties on articles manufactured or produced.

(4) Any articles which are brought into Great Britain or the Isle of Man from Ireland, or into Ireland from Great Britain or the Isle of Man, shall be deemed to be articles exported or imported for the purposes of the forms to be used, and the information to be furnished under the Customs Consolidation Act, 1876, or any Act amending that Act, but not for any other purpose.

39 & 40 Vict. c. 36.

(5) Nothing in this section shall be construed as authorising the Parliament or Government of Southern Ireland or Northern Ireland to impose, charge, levy, or collect any duties of postage so long as the postal service remains a reserved service.

Reserved taxes.

22.—(1) The imposing, charging, levying, and collection of customs duties and of excise duties on articles manufactured and produced and the granting of customs and excise drawbacks and allowances, and, except to the extent hereinafter mentioned, the imposing, charging, levying, and collection of income tax (including super-tax) and excess profits duty, corporation profits tax, and any other tax on profits shall be reserved matters, and the proceeds of those duties and taxes shall be paid into the Consolidated Fund of the United Kingdom.

(2) The Joint Exchequer Board shall in each year determine what part of the proceeds of the said duties and taxes (except such of those proceeds as consist of arrears of excess profits duty payable in respect of any period before the passing of this Act) are properly attributable to Ireland, and in making that calculation the Board shall treat the proceeds collected in Ireland of any such duty or tax as the proceeds of that duty or tax in Ireland, subject to such adjustments as the Board think equitable, with a view to attributing to Ireland any proceeds of any of such duties and taxes collected in Great Britain but properly attributable to Ireland and to attributing to Great Britain the proceeds of any such duties and taxes collected in Ireland but properly attributable to Great Britain, and the sum so determined to be the Irish share of the proceeds of the said duties and taxes is hereinafter referred to as the Irish share of reserved taxes.

(3) Subject as aforesaid, the Joint Exchequer Board may make regulations for determining the manner in which in cases of doubt the proceeds of such duties and taxes as aforesaid are to be apportioned as between Great Britain and Ireland.

(4) The Commissioners of Customs and Excise and the Commissioners of Inland Revenue shall furnish to the Joint Exchequer Board such information as the Board may require for the purposes aforesaid, and, to enable the Commissioners to furnish such information, the Commissioners may require any taxpayer in any

return made by him under any enactment imposing any such duty or tax to furnish such information as may be necessary for the purpose.

(5) The reservation of the levying of such duties and taxes as aforesaid shall include a reservation of all powers and obligations incidental to the levying thereof or designed for preventing the evasion thereof, and all powers and obligations respecting coastwise traffic contained in the enactments relating to customs.

Irish contribution to Imperial expenditure.

23.—(1) Ireland shall in each year make a contribution towards the Imperial liabilities and expenditure mentioned in the Sixth Schedule to this Act.

(2) The amount of the contribution shall, in each year until the end of the second financial year after the appointed day, be, subject as hereinafter provided, a sum calculated at the rate of eighteen million pounds a year, and after the end of the said second financial year shall in each financial year be such proportion as is hereinafter mentioned of the amount which the Joint Exchequer Board certify to have been the amount for the preceding financial year of the said liabilities and expenditure.

(3) The proportion of Imperial liabilities and expenditure to be so contributed shall be such as the Joint Exchequer Board may, having regard to the relative taxable capacities of Ireland and the United Kingdom, determine to be just; but the proportion so determined shall be subject to revision by the Joint Exchequer Board at the end of the fifth financial year after the date when it was first so determined and at the end of every fifth financial year thereafter.

(4) The said contribution shall be apportioned as between Southern Ireland and Northern Ireland in the following manner, that is to say :—

(*a*) So long as the contribution remains at the rate of eighteen million pounds a year, fifty-six per centum thereof shall be apportioned to Southern Ireland and forty-four per centum thereof to Northern Ireland :

(*b*) Thereafter such part shall be apportioned to Southern Ireland and Northern Ireland respectively as the Joint Exchequer Board may determine to correspond to their relative taxable capacities at the time when the proportion of Imperial liabilities and expenditure to be contributed is fixed.

(5) If the Joint Exchequer Board at any time after the end of the said second financial year are of opinion that the said contribution for the first or second financial year ought justly to have been some less sum than eighteen million pounds, or ought to have been apportioned as between Southern and Northern Ireland otherwise than in the manner hereinbefore provided, they shall certify accordingly and direct, as the case requires, either that an amount equal to the difference between the contribution made and that less sum shall be credited to

the Exchequers of Southern and Northern Ireland in the proportions in which the contribution was made by them, or that the contribution shall be treated as having been apportioned between Southern and Northern Ireland in such manner as may be specified in the certificates, and such adjustments as are necessary for the purpose of giving effect to any direction under this section may be made by the Board in any payments to be subsequently made to those Exchequers on account of the Irish residuary share of reserved taxes.

Irish residuary share of reserved taxes.

24.—(1) There shall in respect of each year be charged on and paid out of the Consolidated Fund of the United Kingdom to the Exchequers of Southern Ireland and Northern Ireland a sum equal to the Irish share of reserved taxes in that year after deducting—

(*a*) the amount of the Irish contribution towards Imperial liabilities and expenditure; and

(*b*) whilst any services remain reserved services, the net cost to the Exchequer of the United Kingdom during the year of the services so remaining reserved services, excluding therefrom such sums as the Joint Exchequer Board may certify to have been expended in the provision of buildings (including the sites thereof) and equipment for the purposes of the Supreme Court of Northern Ireland.

(2) The sum so payable to those Exchequers (in this Act referred to as the Irish residuary share of reserved taxes) shall be apportioned between them in such manner and shall be paid at such times, in such manner, and according to such regulations, as the Joint Exchequer Board may direct, and those regulations may provide for payments being made to the Exchequers of Southern Ireland and Northern Ireland, respectively, on account of the sums which may ultimately be found to be payable to those Exchequers in respect of the Irish residuary share of reserved taxes.

(3) In determining the apportionment as between the Exchequers of Southern and Northern Ireland of the Irish residuary share of reserved taxes, the Joint Exchequer Board shall act on the following principles :—

(*a*) So far as the amount of the said share depends on the proceeds of any tax, they shall determine what parts of the proceeds are properly attributable to Southern and Northern Ireland respectively, and shall allot the amount so determined accordingly :

(*b*) So far as the amount of the said share depends on the amount of the Irish contribution towards Imperial liabilities and expenditure, they shall allot to Southern Ireland and Northern Ireland their respective shares in that contribution determined in manner hereinbefore provided :

(*c*) So far as the amount of the said share depends on the cost of any service, they shall, where the cost of the service in Southern and Northern Ireland respectively can be ascertained, allot to Southern and Northern Ireland the cost of the service in Southern and Northern Ireland respectively; and, where the cost of the service in Southern and Northern Ireland cannot in their opinion be ascertained with sufficient accuracy, they shall divide the cost between them in proportion to population.

(4) The Joint Exchequer Board shall apportion any sum which under this Act is to be made good by deductions from the Irish residuary share of reserved taxes on the like principles.

Power of granting relief from income tax and super-tax.

25.—(1) The Parliament of Southern Ireland or of Northern Ireland shall have power to grant relief from income tax and super-tax or either of those taxes to individuals resident and domiciled in Southern Ireland and Northern Ireland respectively and such relief may be given either generally to all such individuals or to individuals whose total income is less than such amount as may be determined by the Act granting the relief.

(3) Such relief as aforesaid shall be granted, by way of repayment of any part or the whole of the income tax or super-tax paid by the individuals to whom the relief is granted, and the Act granting the relief may provide for the amounts so repayable being repaid in like manner as other repayments under the Income Tax Acts.

(4) The making of such repayments shall rest with the Government of Southern Ireland or Northern Ireland, as the case may be, and the repayments shall be made out of, the Consolidated Fund of Southern Ireland or Northern Ireland, as the case may be:

Provided that the Commissioners of Inland Revenue and other authorities and officers by whom income tax and super-tax are levied and collected may, at the request and at the expense of the Government of Southern Ireland or Northern Ireland, as the case may be, make such payments on behalf of the Government of Southern Ireland or Northern Ireland.

(5) Sums paid under this section, whether or not paid by the Commissioners of Inland Revenue, shall not be taken into account in determining for the purposes of this Act the amount of the Irish share of reserved taxes.

Provisions as to land purchase annuities.

26.—(1) Purchase annuities payable in respect of land situate in Southern Ireland and Northern Ireland respectively, including any arrears thereof due or accruing due on the appointed day, shall be collected by the Governments of Southern Ireland and Northern Ireland, and the amounts so collected shall be paid into their respective Exchequers, but nothing in this Act shall confer on either such Government any powers with respect to the redemption of purchase annuities.

(2) In each year a sum equal to the amount payable in that year in respect of purchase annuities shall be paid into the Irish Land Purchase fund or account, or other appropriate fund or account, out of moneys provided by the Parliament of the United Kingdom.

(3) Where after the appointed day an existing purchase annuity is redeemed, a sum equal to the annuity shall be paid out of moneys provided by the Parliament of the United Kingdom to the Exchequer of Southern Ireland or Northern Ireland, as the case may require, in each year so long as the purchase annuity would, if not redeemed, have continued to be payable.

(4) Payments under this section out of moneys provided by the Parliament of the United Kingdom shall not be treated as part of the cost to the Exchequer of the United Kingdom of reserved services except so far as they represent new purchase annuities.

(5) For the purposes of this Act—

54 & 55 Vict. c. 48.

the expression "purchase annuities," in addition to purchase annuities as defined in the Purchase of Land (Ireland) Act, 1891, includes annuities for the repayment of advances made under any of the Land Purchase Acts prior to the Purchase of Land (Ireland) Act, 1891, and annuities for the repayment of advances made under the Labourers (Ireland) Act, 1906, or under any other Act relating to land purchase in Ireland;

6 Edw. 7. c. 37.

the expression "existing purchase annuity" means a purchase annuity payable in respect of an advance made in pursuance of a purchase agreement entered into, or, in the case of a purchase annuity payable under the Labourers (Ireland) Act, 1906, in pursuance of a scheme approved before the passing of this Act;

the expression "new purchase annuity" means a purchase annuity payable in respect of an advance made in pursuance of a purchase agreement entered into or, in the case of a purchase annuity payable under the Labourers (Ireland) Act, 1906, in pursuance of a scheme approved, after the passing of this Act.

Existing public loans.

27.—(1) The power of collecting and enforcing the payment of sums due on account of loans made before the appointed day to authorities and persons in Southern Ireland or Northern Ireland out of the local loans fund, the development fund, the road improvement fund or other similar public fund, shall be transferred to the Governments of Southern Ireland and Northern Ireland respectively, and the amounts so collected by them shall be paid into their respective Exchequers:

Provided that this section shall not apply to advances out of the local loans fund for the purposes of the enactments relating to land purchase in Ireland.

(2) A sum equal to the amount due in respect of such loans shall in each year be paid into the appropriate fund out of moneys

provided by the Parliament of the United Kingdom, and shall, subject to the deduction of such sum as the Joint Exchequer Board think just to cover such loss as may be anticipated to result from payments on account of any such loans proving to be irrecoverable, be made good by deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

Provisions against double death duties.

28.—(1) Where the Commissioners of Inland Revenue are satisfied that estate duty or any duty in the nature of estate duty is payable in Southern Ireland or Northern Ireland by reason of a death in respect of any property situated in Southern Ireland or Northern Ireland and passing on such death, they shall allow a sum equal to the amount of that duty to be deducted from the estate duty payable in Great Britain in respect of that property on the same death.

(2) Where the Department of the Government of Southern Ireland or Northern Ireland corresponding to the Commissioners of Inland Revenue are satisfied that estate duty is payable in Great Britain by reason of a death in respect of any property situate in Great Britain and passing on such death, they shall allow a sum equal to the amount of that duty to be deducted from the estate duty or duty in the nature of estate duty payable in Southern Ireland or Northern Ireland in respect of that property on the same death.

(3) The foregoing provisions shall apply as between Southern Ireland on the one hand and Northern Ireland on the other in like manner as they apply as between Great Britain on the one hand and Southern or Northern Ireland on the other.

(4) If any question arises as to whether any property is to be treated for the purposes of this section as situate in Great Britain or in Southern Ireland or in Northern Ireland, the question shall be decided by the Joint Exchequer Board.

(5) Any Irish transfer order providing for the adaptation of the enactments relating to the resealing or certification in one country of probate or letters of administration or confirmation of executors granted in another country, may provide that the court or officer before resealing or certifying the probate or letters of administration or confirmation shall be satisfied that estate duty, or duty in the nature of estate duty, has been paid in respect of so much, if any, of the estate as is liable to that duty in the country in which the resealing or certification takes place, and for requiring the resealing or certification of probate, letters of administration, or confirmation of executors, in cases where, by virtue of section forty-eight of the Finance (No. 2) Act, 1915, such resealing or certification is not required.

5 & 6 Geo. 5. c. 89.

Provisions against double stamp duties.

29.—(1) Where an instrument is chargeable with stamp duty in Great Britain and in Southern Ireland and in Northern Ireland, or in any two of those countries, and has been stamped in any one of those countries, the instrument shall, to the extent of

the duty it bears, be deemed to be stamped in the other country or countries :

Provided that, if the stamp duty chargeable on any instrument in such other country exceeds the stamp duty chargeable in respect of that instrument in the country or countries in which the instrument has previously been stamped, the instrument shall not be deemed to have been duly stamped in such other country unless and until stamped in accordance with the laws of that country with a stamp denoting an amount equal to such excess.

(2) Where composition for stamp duty is made or agreed to be made in any one of such countries, any instrument which by virtue of the composition is exempt from the payment of duty in that country shall, for the purposes of this section, be treated in any other such country as having been stamped in the first-mentioned country with a stamp denoting the amount of duty which, but for the composition, would have been chargeable on that instrument :

Provided that, if the legislature of such other country has imposed any conditions on the recognition therein of any composition made or agreed to be made in the first-mentioned country, this subsection shall not apply unless those conditions are complied with.

Inter-availability of excise licences.

30. Any excise licence granted by the Government of Southern Ireland shall, without payment of further duty, be available in Northern Ireland unless and until the Parliament of Northern Ireland otherwise determines, and any excise licence granted by the Government of Northern Ireland shall, without payment of further duty, be available in Southern Ireland unless and until the Parliament of Southern Ireland otherwise determines :

Provided that, if the rate of duty in respect of any licence is higher in one such part of Ireland than in the other, any such licence granted in the part in which the lower duty is charged shall not be available in the other part until the difference has been paid in that other part.

Irish Church Fund.

31. The Irish Church Temporalities Fund shall belong to and be apportioned between the Governments of Southern Ireland and Northern Ireland in such manner as may be determined by the Joint Exchequer Board, and the parts apportioned to the several governments shall be managed, administered, and disposed of as directed by Act of the appropriate Parliament :

Provided that all existing charges on that fund shall, if and so far as not paid, be paid out of the Exchequer of the United Kingdom, and be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

Joint Exchequer Board.

32.—(1) For the purposes of the financial provisions of this Act, there shall be established a Board to be called the Joint Exchequer Board, consisting of two members appointed by the Treasury, one member appointed by the Treasury of Southern Ireland, one member appointed by the Treasury of Northern Ireland, and a chairman appointed by His Majesty.

(2) The authority by whom a member (including the chairman) is appointed may appoint a deputy who shall be entitled to act for the member at any meeting of the Joint Exchequer Board which the member is unable to attend.

(3) It shall be the duty of the Joint Exchequer Board to determine any matter which is to be determined by the Board under this Act, or in pursuance of any Irish Transfer Order made under this Act, and also to determine any other matter in connexion with the Irish residuary share of reserved taxes, or Irish revenue or expenditure, or the cost of any reserved service which may be referred to them for determination jointly by the Treasury and the Treasury of Southern Ireland or Northern Ireland, or jointly by the Treasuries of Southern and Northern Ireland, and also to determine for the purposes of this Act whether any tax is substantially the same in character as, or has been imposed in lieu of, another tax, and, subject to the provisions of this Act as to appeals from decisions of the Board, the decision of the Board on any matter which is to be determined by them shall be final and conclusive.

(4) Any vacancy arising in the office of a member of the Board shall be filled by the authority by whom the member whose place is vacant was appointed.

(5) The Board may act by a majority and notwithstanding any vacancy in their number; the quorum at any meeting of the Board shall be three; subject to the provisions of this Act, the Board may regulate their own procedure.

(6) There shall be paid to the Chairman such salary or remuneration as the Treasury may determine, and the amount thereof shall be charged on and payable out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Power of trustees to invest in Irish securities. 56 & 57 Vict. c. 53.

33. Any stock or securities issued in respect of any loan raised by the Government of Southern Ireland or Northern Ireland shall be deemed to be included amongst the securities in which a trustee may invest under the powers of the Trustee Act, 1893, or the Trusts (Scotland) Acts, 1861 to 1910.

Temporary provision as to payments into and out of the Irish Exchequer.

34.—(1) There shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof and, as soon as may be after the appointed day, paid thereout to the Exchequers of Southern Ireland and Northern Ireland respectively such sums as the Joint Exchequer Board may certify to be necessary for the purpose of providing buildings (including the sites thereof) and for their equipment for the

accommodation of the Parliaments and public departments in Southern and Northern Ireland respectively.

(2) The Joint Exchequer Board may authorise the Lord Lieutenant to make such payments from the Exchequers of Southern Ireland and Northern Ireland as may be necessary in order to provide for bringing this Act into operation, but no such authority shall be given as respects the Exchequer of Southern Ireland or Northern Ireland after the expiration of a period of three months from the first meeting of the Parliament of Southern Ireland or Northern Ireland, as the case may be.

Provisions applicable after date of Irish union.

35.—(1) As from the end of the financial year in which the date of Irish union falls, the foregoing financial provisions shall have effect, subject to the following modifications :—

(*a*) There shall be an Irish Exchequer and an Irish Consolidated Fund in the place of, or, if constituent Acts so provide, in addition to the Exchequers and Consolidated Funds of Southern Ireland and Northern Ireland :

(*b*) The Parliament and Government of Ireland shall, except so far as constituent Acts otherwise provide, have all the powers of taxation (including the powers in relation to income tax and super-tax) which before the date of Irish union were vested in the Governments and Parliaments of Southern Ireland and Northern Ireland :

(*c*) The Irish residuary share of reserved taxes shall be paid into the Irish Exchequer :

(*d*) The Government of Ireland shall, unless the constituent Acts otherwise provide, have the power to collect and recover purchase annuities, and the annuities collected by them shall be paid into the Irish Consolidated Fund :

(*e*) For the members of the Joint Exchequer Board appointed by the Treasuries of Southern Ireland and Northern Ireland, there shall be substituted two members appointed by the Irish Treasury :

(*f*) The provisions making stock or securities issued in respect of loans raised by the Governments of Southern Ireland and Northern Ireland trustee securities shall extend to stock or securities issued in respect of loans raised by the Government of Ireland.

(2) Provision shall be made by the Parliament of Ireland for the cost of Irish services administered by the Government of Ireland.

(3) All sums paid into the Irish Exchequer shall form the Irish Consolidated Fund, and, subject to the provisions of any Act of the Parliament of Ireland, or this Act, or any other Act of the Parliament of the United Kingdom charging any sums on the Irish Consolidated Fund, all such sums shall be appropriated to the public service of Ireland by Act of the Parliament

of Ireland, and shall not be applied for any purpose for which they are not so appropriated.

(4) Save as may be otherwise provided by Act of the Parliament of Ireland, the existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the Irish Exchequer and Consolidated Fund, and an officer shall be appointed by the Lord Lieutenant to be Comptroller and Auditor-General for Ireland.

(5) Save as may be otherwise provided by Act of the Parliament of Ireland, the accounts of the Irish Consolidated Fund shall be audited as appropriation accounts in manner provided by the Exchequer and Audit Departments Act, 1866, and any Acts amending the same, by or under the direction of the Irish Comptroller and Auditor-General.

Future consideration of the transfer of Customs and Excise.

36. If at any time after the date of Irish union an address for the purpose is presented by both Houses of the Parliament of Ireland, the Joint Exchequer Board shall forthwith take into consideration the transfer to the Parliament and Government of Ireland of the powers of imposing, charging, levying and collecting customs duties and excise duties reserved by this Act, and report thereon and on the methods by which in case of such transfer the payment of the Irish contribution to Imperial liabilities and expenditure can be secured, and shall cause a copy of their report to be laid before the Parliament of the United Kingdom and the Parliament of Ireland.

LORD LIEUTENANT.

Office of Lord Lieutenant.

37.—(1) Notwithstanding anything to the contrary in any Act, no subject of His Majesty shall be disqualified for holding the office of Lord Lieutenant of Ireland on account of his religious belief.

(2) The term of office of the Lord Lieutenant shall be six years, without prejudice to the power of His Majesty at any time to revoke the appointment, and with the intent that the continuance in office of the Lord Lieutenant shall not be affected by any change of ministry.

(3) The salary and expenses of the Lord Lieutenant shall be paid out of moneys provided by the Parliament of the United Kingdom, but there shall be deducted from the Irish residuary share of reserved taxes in each year, towards the payment of the Lord Lieutenant's salary, a sum of five thousand pounds.

PROVISIONS AS TO COURTS OF LAW AND JUDGES.

Establishment of courts.

38. The Supreme Court of Judicature in Ireland shall cease to exist, and there shall be established in Ireland the following courts, that is to say, a court having jurisdiction in Southern Ireland, to be called the Supreme Court of Judicature of Southern Ireland, a court having jurisdiction in Northern

Ireland, to be called the Supreme Court of Judicature of Northern Ireland, and a court having appellate jurisdiction throughout the whole of Ireland, to be called the High Court of Appeal for Ireland.

Divisions and constitution of Supreme Court of Southern Ireland.

39.—(1) The Supreme Court of Judicature of Southern Ireland shall consist of two divisions, one of which, under the name of His Majesty's High Court of Justice in Southern Ireland, shall, in Southern Ireland, have and exercise all such jurisdiction as is now exercised by His Majesty's High Court of Justice in Ireland and by the judges of that Court (including the land judges), and the other of which, under the name of His Majesty's Court of Appeal in Southern Ireland, shall, in Southern Ireland, have and exercise all such jurisdiction as is now exercised by His Majesty's Court of Appeal in Ireland.

(2) The High Court of Justice in Southern Ireland and the Court of Appeal in Southern Ireland shall, subject to the provisions of Part III. of the Seventh Schedule to this Act, be constituted in manner provided by Part I. of that Schedule.

Divisions and constitution of Supreme Court of Northern Ireland.

40.—(1) The Supreme Court of Judicature of Northern Ireland shall consist of two divisions, one of which under the name of His Majesty's High Court of Justice in Northern Ireland shall, in Northern Ireland, have and exercise all such jurisdiction as is now exercised by His Majesty's High Court of Justice in Ireland and by the judges of that court (including the land judges), and the other of which, under the name of His Majesty's Court of Appeal in Northern Ireland, shall, in Northern Ireland, have and exercise all such jurisdiction as is now exercised by His Majesty's Court of Appeal in Ireland.

(2) The High Court of Justice in Northern Ireland and the Court of Appeal in Northern Ireland shall, subject to the provisions of Part III. of the Seventh Schedule to this Act, be constituted in manner provided by Part II. of that Schedule.

Application of existing enactments and rules.

41.—(1) Subject to the provisions of this Act and any modifications or adaptations made by Irish Transfer Orders under this Act, all enactments relating to the Supreme Court of Judicature in Ireland and the judges and officers thereof shall apply to the Supreme Court of Judicature in Southern Ireland and to the Supreme Court of Judicature in Northern Ireland respectively, and the judges and officers thereof, as they apply to the Supreme Court of Judicature in Ireland and the judges and officers thereof, and as if for references to the High Court of Justice in Ireland there were substituted references to the High Court of Justice in Southern Ireland or the High Court of Justice in Northern Ireland, as the case may be, and as if for references to the Court of Appeal in Ireland there were substituted references to the Court of Appeal in Southern Ireland or the Court of Appeal in Northern Ireland, as the case may be :

Provided that, where but for this provision an appeal under section fifty-one of the Supreme Court of Judicature Act (Ireland), 1877, would lie to a divisional court, whether by way of motion for new trial or otherwise, an appeal shall lie to the Court of Appeal in Southern Ireland or Northern Ireland as the case may be instead of to a divisional court. 40 & 41 Vict. c. 57.

(2) The existing rules of court made under the enactments relating to the Supreme Court of Judicature in Ireland shall be deemed to have been made under those enactments as applied by this Act to the Supreme Court of Judicature in Southern Ireland and the Supreme Court of Judicature in Northern Ireland respectively, and shall have effect accordingly with the necessary modifications in Southern Ireland and Northern Ireland respectively, and any such rules of court may be altered or annulled as if they had been made under those enactments as so applied.

(3) The Judgments Extension Act, 1868, shall apply to the registration and enforcement in the Supreme Court of Southern Ireland and Northern Ireland respectively of judgments obtained or entered up in the Supreme Courts of Northern Ireland and Southern Ireland respectively, in like manner as it applies to the registration and enforcement in the Supreme Court of Judicature in Ireland, of judgments obtained or entered up in the Supreme Court of Judicature in England. 31 & 32 Vict. c. 54.

(4) A judge of the Supreme Court of Northern Ireland, shall not be named in a commission of assize or other commission, whether general or special, in Southern Ireland, and a judge of the Supreme Court of Southern Ireland shall not be named in a commission of assize or other commission, whether general or special, in Northern Ireland.

Constitution and officers of High Court of Appeal for Ireland.

42.—(1) The High Court of Appeal for Ireland shall be constituted of the following ex-officio judges, that is to say, the Lord Chancellor of Ireland, who shall be president of the court, the Lord Chief Justice of Southern Ireland and the Lord Chief Justice of Northern Ireland and of such other judges as may from time to time be nominated as members thereof in manner hereinafter provided.

(2) The High Court of Appeal for Ireland, when hearing any appeal, shall consist of three judges sitting together, of whom one shall be the Lord Chancellor of Ireland, another shall be the Lord Chief Justice of Southern Ireland, or a judge of the Supreme Court of Southern Ireland nominated by him to act in his place, and the third shall be the Lord Chief Justice of Northern Ireland, or a judge of the Supreme Court of Northern Ireland nominated by him to act in his place:

Provided that—

(*a*) if the Lord Chancellor considers that the case is of such importance that it is advisable that the court should consist of five judges, it shall consist of such three judges as aforesaid, together

with an additional judge of the Supreme Court of Southern Ireland, nominated by the Lord Chief Justice of Southern Ireland, and an additional judge of the Supreme Court of Northern Ireland, nominated by the Lord Chief Justice of Northern Ireland;

(*b*) if the Lord Chancellor is unable to sit, the court shall consist of four judges, namely, the Lord Chief Justice of Southern Ireland, or a judge of the Supreme Court of Southern Ireland nominated by him, the Lord Chief Justice of Northern Ireland, or a judge of the Supreme Court of Northern Ireland nominated by him, a judge of the Supreme Court of Southern Ireland nominated by the Lord Chief Justice of Southern Ireland, and a judge of the Supreme Court of Northern Ireland nominated by the Lord Chief Justice of Northern Ireland.

(3) The High Court of Appeal for Ireland when hearing an appeal from the Supreme Court of Southern Ireland shall sit in Southern Ireland, and when hearing an appeal from the Supreme Court of Northern Ireland shall sit in Northern Ireland; and if the Lord Chancellor is not sitting, the Lord Chief Justice of the court within whose jurisdiction the High Court of Appeal is sitting, shall, if he sits as a judge of that court, preside; subject as aforesaid, judges of the Supreme Court of Southern Ireland and of Northern Ireland holding corresponding offices shall, when sitting as judges of the High Court of Appeal for Ireland, rank according to the priority of their respective appointments.

(4) No judge shall sit as a judge of the High Court of Appeal for Ireland on the hearing of an appeal from any judgment or order made in a cause or matter heard by himself either sitting alone or with other judges, or from a judgment or order reversing, varying, or affirming a judgment or order so made.

(5) There shall be attached to the High Court of Appeal for Ireland such officers as the Lord Chancellor, with the approval of the Joint Exchequer Board as to number, may appoint, and there shall be paid to such officers out of moneys provided by the Parliament of the United Kingdom such salaries and allowances as the Joint Exchequer Board may determine, and there shall be paid out of moneys so provided to every judge of the said court such allowances as may be determined by the said Board in respect of attendances at the sittings of the court when it sits in a part of Ireland in which he does not reside.

Jurisdiction of High Court of Appeal for Ireland. 11 & 12 Vict. c. 78.

43.—(1) An appeal shall lie to the High Court of Appeal for Ireland from any decision of the Court of Appeal in Southern Ireland or the Court of Appeal in Northern Ireland, and all questions which under the Crown Cases Act, 1848, would be reserved for the decision of the Judges of the High Court shall

be reserved for the decision of the High Court of Appeal for Ireland, whose decision shall, except as hereinafter provided, be final, and the High Court of Appeal for Ireland shall have jurisdiction and power to hear and determine all such appeals and questions subject to the rules or orders of the Court.

(2) The Lord Chancellor, with the assistance of the Lord Chief Justice of Southern Ireland and the Lord Chief Justice of Northern Ireland, and as respects fees subject to the approval of the Joint Exchequer Board, shall make rules for regulating the procedure of the High Court of Appeal for Ireland, and any other matter with respect to which rules of court may be made under the Judicature (Ireland) Acts, 1877 to 1907; and the court shall for all purposes of and incidental to the determination of any appeal within its jurisdiction, and the amendment, execution and enforcement of any judgment or order made on any such appeal have all the powers, authority and jurisdiction for the time being vested in the Supreme Court of Southern Ireland and the Supreme Court of Northern Ireland.

Provisions as to Lord Chancellor.

44.—(1) The provisions relating to the tenure of office by a judge of the Supreme Court of Southern Ireland or Northern Ireland, shall apply to the office of Lord Chancellor of Ireland.

(2) Nothing in this Act shall affect any jurisdiction exercised by the Lord Chancellor in respect of and on behalf of His Majesty as visitor of any college or other charitable foundation; but, save as aforesaid, the Lord Chancellor shall not exercise any executive functions, and the Lord Chancellor shall cease to be Keeper of the Great Seal of Ireland, and the custody thereof and such executive functions as aforesaid shall be transferred to the Lord Lieutenant.

Provisions as to Master of the Rolls.

45. Any jurisdiction of the Master of the Rolls in Ireland with respect to public records in his custody shall be transferred to the Lord Lieutenant:

Provided that nothing in this section shall affect the rank, title or precedence of the existing Master of the Rolls.

Transitory provisions.

46. The provisions set out in Part III. of the Seventh Schedule to this Act shall have effect with respect to existing judges and officers of the Supreme Court of Ireland (including officers attached to that Court) existing barristers, solicitors and solicitors' apprentices, and pending proceedings.

Provisions as to judicature before and after Irish union.

47.—(1) All matters relating to the Supreme Court of Southern Ireland, the Supreme Court of Northern Ireland and the High Court of Appeal for Ireland shall be reserved matters until the date of Irish union, but the constituent Acts, or any Act of the Parliament of Ireland, may provide for the amalgamation of the Supreme Court of Southern Ireland and the Supreme Court of Northern Ireland and the abolition or merger in the court so constituted of the High Court of Appeal for Ireland, and may provide, as respects judges appointed after the date

of Irish union, for such judges being appointed by the Lord Lieutenant and the substitution of an address from both Houses of the Parliament of Ireland for an address from both Houses of the Parliament of the United Kingdom in the provisions relating to the removal of judges, and for the salaries and pensions of such judges being charged on and paid out of the Irish Consolidated Fund instead of the Consolidated Fund of the United Kingdom. The reservation of matters relating to Supreme Courts as aforesaid shall not extend to the regulation of the profession of solicitors.

(2) The provisions of this Act as to existing judges and existing pensions shall, after the date of Irish union, with the necessary modifications, extend to the judges who at that date are judges of any of the said courts, and to any pensions which at that date are payable to any persons on account of service as such judges.

County court judges

48.—(1) A judge of any county court, or other court with a like jurisdiction in Ireland, appointed after the appointed day, shall be appointed by the Lord Lieutenant, and shall hold his office on the same tenure as that by which the office is held at the time of the passing of this Act, with the substitution of an address from both Houses of the Parliament of Southern Ireland or of Northern Ireland, as the case may be, for an address from both Houses of the Parliament of the United Kingdom, and during his continuance in office his salary shall not be diminished or his rate of pension altered without his consent.

(2) Such rearrangement of the areas within the jurisdiction of county court judges shall be made by order of the Lord Lieutenant that the area of jurisdiction of any such judge shall be wholly within Southern Ireland or Northern Ireland.

Appeals from the High Court of Appeal for Ireland.

49. An appeal shall lie from the High Court of Appeal for Ireland to the House of Lords—

(*a*) in any case where under existing enactments such an appeal would lie from the existing Court of Appeal in Ireland to the House of Lords;

(*b*) in any case where a person is aggrieved by any decision of the High Court of Appeal for Ireland in any proceedings taken by way of certiorari, mandamus, quo warranto or prohibition;

(*c*) in any case where a decision of the High Court of Appeal for Ireland involves a decision of any question as to the validity of any law made by or having the effect of an Act of the Parliament of Southern Ireland or Northern Ireland and the decision is not otherwise subject to appeal:

Provided that—

(i) where under the existing enactments an appeal does not lie to the House of Lords, except with the leave

of the existing Court of Appeal in Ireland, an appeal under this section shall not lie except with the leave of the High Court of Appeal for Ireland;

(ii) an appeal shall not lie in the cases mentioned in paragraph (*c*) of this section, except with the leave of the High Court of Appeal for Ireland or the House of Lords.

Appeals where validity of Irish law questioned.

50. Where any decision of a court in Ireland involves the decision of any question as to the validity of any law made by or having the effect of an Act of the Parliament of Southern Ireland or Northern Ireland, and the decision is not under the existing enactments subject to any appeal to the Court of Appeal in Ireland, an appeal shall lie to the High Court of Appeal for Ireland by virtue of this section.

Special provision for decision of constitutional questions.

51.—(1) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Act, or order having the effect of an Act of the Parliament of Southern Ireland or Northern Ireland, or any provision thereof, or any Bill introduced in either of those Parliaments, or any provision thereof, or any legislative proposal before the Council of Ireland, is beyond the powers of such Parliament or Council or whether any service is an Irish Service within the meaning of this Act or not, or if the Joint Exchequer Board, or any two members of the Board, in the execution of their duties under this Act, are desirous of obtaining the decision of any question of the interpretation of this Act, or other question of law, which arises in connexion with those duties, the Lord Lieutenant, Secretary of State, or Board, or Members thereof, as the case may be, may represent the same to His Majesty in Council, and thereupon, if His Majesty so directs, the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council.

(2) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.

(3) Nothing in this Act shall prejudice any other power of His Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition His Majesty for such reference.

Appeals from decisions of Joint Exchequer Board.

52.—(1) If any decision of the Joint Exchequer Board under this Act involves a decision with respect to any question of law, any person may petition His Majesty in Council to refer the question of law to the Judicial Committee of the Privy Council, and, if His Majesty so directs, the question of law shall be referred to and heard and determined by that committee,

and, if the Judicial Committee determine that the point of law has been erroneously decided by the Joint Exchequer Board, they shall report their determination to His Majesty, and, on such a report being made, the Joint Exchequer Board shall reconsider their decision with regard to the determination of the Judicial Committee.

(2) Upon the hearing of any question referred under this section, such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were a decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.

(3) A petition shall not be entertained under this section unless it is presented within six months after the date on which the decision of the Joint Exchequer Board to which the petition relates has been published.

Finality of decisions of the House of Lords and Judicial Committee.

53. Any decision of the House of Lords or of the Judicial Committee of the Privy Council as to the validity of any law made by or having the effect of an Act of the Parliament of Southern Ireland or Northern Ireland, and any decision of the Judicial Committee of the Privy Council on any other question of law which is to be determined by the Judicial Committee of the Privy Council under this Act shall be final and conclusive and binding upon all courts.

PROVISIONS AS TO EXISTING JUDGES AND OFFICERS.

Provisions as to existing judges and existing officers having salaries charged on the Consolidated Fund, or removable only for misconduct or incapacity.

54.—(1) All existing county court judges, and all existing Irish officers serving in an established capacity in the civil service of the Crown and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if at the date of the passing of this Act they are removable only on address from both Houses of Parliament of the United Kingdom, continue to be removable only upon such an address, and if removable in any other manner shall continue to be removable only in the same manner as before that date; and shall continue to receive the same salaries, gratuities, and pensions, and to enjoy the same rights and privileges and to be liable to perform the same duties as before that date or such duties as His Majesty may declare to be analogous, and their salaries and pensions shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof, and all sums so paid shall be made good by means of deductions from the Irish residuary share of reserved taxes under this Act in accordance with regulations made by the Treasury.

(2) If any of the said judges or officers retire from office with His Majesty's approbation before completion of the period of service entitling him to a pension, His Majesty may, if he thinks fit, after considering any representation that may be

made by the Government of Southern Ireland or Northern Ireland, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as His Majesty thinks proper.

(3) Subsection (1) of this section shall apply to existing Irish officers in the civil service of the Crown, who, although receiving salaries not charged on the Consolidated Fund, are removable only for misconduct or incapacity, including clerks of the crown and peace and (after the date of Irish union) officers removable under section seventy-three of the Supreme Court of Judicature Act (Ireland), 1877: Provided that, in the case of any such officer whose salary is payable otherwise than out of money provided by the Parliament of the United Kingdom, the provisions of that subsection with respect to the payment of salaries and pensions out of the Consolidated Fund of the United Kingdom shall not have effect, and in the case of any such officer whose salary is payable out of money provided by the Parliament of the United Kingdom those provisions shall have effect with the substitution of payment out of money so provided for charge on and payment out of the Consolidated Fund of the United Kingdom.

(4) Subsection (2) of this section shall apply to any officer to whom subsection (3) of this section applies, with the substitution of a reference to a period of forty years' service for the reference to the period of service entitling to a pension.

Continuation of service of, and compensation to, other existing officers.

55.—(1) Subject to the provisions of this Act, all existing Irish officers in the civil service of the Crown who are not provided for under the last preceding section and are at the appointed day serving as Irish officers shall, after that day, continue to hold their offices by the same tenure and upon the same terms and conditions (including conditions as to salaries and superannuation) as theretofore and shall be liable to perform the same duties as theretofore, or such duties as the Civil Service Committee established under this Act may determine to be analogous, and while performing the same or analogous duties shall receive not less salaries than they would have received if this Act had not passed:

Provided that, notwithstanding the provision herein-before contained as to the tenure of existing Irish officers, any existing Irish officer who at the time of the passing of this Act is removable from his office by His Majesty, or by the Chief Secretary, or by any person other than the Lord Lieutenant, or in any special manner, may be removed from his office after the appointed day by the Lord Lieutenant, but, in the case of the existing permanent members of the Congested Districts Board for Ireland, only by an order of the Lord Lieutenant, which shall be laid before the House of Commons of Southern Ireland and of Northern Ireland, and, if an address is presented to the Lord Lieutenant by either such House within the next subsequent forty days on which that House has sat after any such order

is laid before it praying that the order may be annulled, the Lord Lieutenant may annul the order, and it shall thenceforth be void.

(2) The Superannuation Acts, 1834 to 1914, shall continue after the appointed day to apply to any such existing Irish officer to whom they then apply, and the service of any such officer under the Government of Southern Ireland or Northern Ireland or the Council of Ireland shall, for the purpose of those Acts, be deemed to be service in the permanent civil service of the Crown and in a public office within the meaning of the Superannuation Act, 1892 :

55 & 56 Vict. c. 40.

Provided that, so far as relates to the grant and ascertainment of the amount of any allowance or gratuity under those Acts as respects any such officer who at the time of his ultimate retirement is serving under the Government of Southern Ireland or Northern Ireland, or the Council of Ireland, the Civil Service Committee shall be substituted for the Treasury.

(3) The provisions as to compensation contained in the Eighth Schedule to this Act shall apply with respect to any such existing Irish Officer.

(4) The superannuation and other allowances and gratuities which may become payable after the appointed day to or in respect of existing Irish officers in the civil service of the Crown under the Superannuation Acts, 1834 to 1914, and any compensation payable to any such officers under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom, but any sums so paid shall be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

(5) Where any existing Irish officer in the civil service of the Crown, to whom the Superannuation Acts, 1834 to 1914, do not apply, is at the appointed day serving as an Irish officer in a capacity which, in accordance with a condition of his employment, qualifies him for a superannuation allowance or gratuity payable otherwise than under those Acts, that condition shall, after the appointed day, have effect, subject to the following modifications, that is to say, any superannuation allowance or gratuity which may become payable to the officer in accordance with that condition after the appointed day shall, if and so far as the fund out of which such allowances and gratuities are payable at the time of the passing of this Act is, by reason of anything done or omitted after the passing of this Act, not available for its payment, be charged upon and paid out of the Consolidated Fund of Southern Ireland or Northern Ireland, as the case may be, or shall be apportioned between those funds as the Joint Exchequer Board may determine, and any powers and duties of the Treasury as to the grant or ascertainment of the amount of the superannuation allowance or gratuity, or otherwise in connexion with the condition, shall be exercised and performed by the Civil Service Committee.

(6) The Pensions Commutation Acts, 1871 to 1882, shall apply to any person to whom an annual allowance is granted in pursuance of the provisions of this Act relating to existing officers as they apply to a person who has retired in consequence of the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.

Establishment of Civil Service Committee.

56.—(1) For the purpose of the provisions of this Act with respect to existing officers, there shall be established a committee to be called the Civil Service Committee.

(2) The Committee shall consist of seven members, of whom one shall be appointed by the Treasury, one by a Secretary of State, one by the Government of Southern Ireland, one by the Government of Northern Ireland, two by the existing Irish officers, and one (who shall be chairman) by the Lord Chief Justice of England:

Provided that, after the existing Irish officers have been allocated in manner hereinafter provided, of the members of the committee appointed by the existing Irish officers one shall be appointed by such of those officers as have become officers of the Government of Southern Ireland, and one by such of those officers as have become officers of the Government of Northern Ireland.

(3) Any vacancy arising in the committee shall be filled by the authority by whom the member whose place is vacant was appointed.

(4) The Treasury may make regulations as to the manner in which the members to be appointed by the existing Irish officers are to be selected.

(5) The committee may act by any four members, and notwithstanding any vacancy in their number, and, subject to the provisions of this Act, the committee may regulate their own procedure.

(6) The determination of the Civil Service Committee on any claim or question which is to be determined by them under the provisions of this Act relating to existing officers shall be final and conclusive.

(7) Any expenses incurred by the Civil Service Committee to such amount as may be approved by the Joint Exchequer Board shall be paid out of moneys provided by the Parliament of the United Kingdom, and shall be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

Provisions as to existing pensions and superannuation allowances.

57.—(1) Any pension granted on account of service in Ireland as Lord Chancellor or other judge of the existing Supreme Court or of any court consolidated into that court, or as a county court judge, or as an Irish officer in an established capacity in the civil service of the Crown, or as an officer or constable of the Dublin Metropolitan Police, or Royal Irish Constabulary, and payable at the appointed day, or in the case of an officer

or constable of the Dublin Metropolitan Police or Royal Irish Constabulary at the date of transfer, shall be paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof, if charged on that fund at the time of the passing of this Act, and out of moneys provided by the Parliament of the United Kingdom if so payable at that time, and shall be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

(2) Any pension payable at the appointed day and granted on account of service in Ireland as an Irish officer in the civil service of the Crown not serving in an established capacity or on account of service as a petty sessions clerk or officer in the registry of petty sessions clerks shall, if and so far as the fund out of which it is payable at the time of the passing of this Act is by reason of anything done or omitted after the passing of this Act not available for its payment, be charged upon and paid out of the Consolidated Fund of Southern Ireland or Northern Ireland or apportioned between those funds as the Joint Exchequer Board may determine.

Provisions for defining of Irish officer and determining claims.

58.—(1) For the purpose of the provisions of this Act relating to existing officers, any officer shall be deemed to be an Irish officer who is serving or employed in Irish services within the meaning of this Act, and the fact that the salary of an Irish officer is provided in whole or in part out of funds administered by the Government department in which he serves, or out of an allowance voted for the office expenses of the office in which he is employed, or out of fees, instead of being charged on the Consolidated Fund or paid out of moneys provided by the Parliament of the United Kingdom, shall not prevent that officer being treated as an officer in the civil service of the Crown:

Provided that, where any officers employed at the appointed date wholly or in part on Irish services form an integral part of a staff not solely engaged on such services, the department under which they are employed shall prepare a scheme for determining which of the members of such staff are, for the purposes of this Act, to be treated as Irish officers, and such scheme shall be submitted to the Irish Civil Service Committee and, if and when approved by that committee, shall have effect as if enacted in this Act.

(2) If any question arises whether an officer is an Irish officer as so defined, or otherwise as to any claim or right of an officer under the provisions of this Act relating to existing officers, that question shall be determined by the Civil Service Committee.

(3) If in any case the Civil Service Committee are of opinion that the service or employment of an officer is such that he is partly an Irish officer and partly not, that committee shall determine any question which arises as respects the

proportions in which any allowance, gratuity, or compensation payable to that officer is to be paid as between the Exchequer or Consolidated Fund of Southern or Northern Ireland, as the case may be, and of the United Kingdom respectively.

Allocation of existing officers between Southern and Northern Ireland.

59.—(1) The existing Irish officers who at the appointed day are concerned solely with the administration of public services in Southern Ireland shall become officers of the Government of Southern Ireland, and the existing Irish officers who at the appointed day are concerned solely with the administration of public services in Northern Ireland shall become officers of the Government of Northern Ireland.

(2) The existing Irish officers who at the appointed day are concerned with the administration of public services both in Southern Ireland and Northern Ireland shall be allocated as between the Governments of Southern Ireland and Northern Ireland in such manner as the Civil Service Committee may determine; and in determining whether any particular officer is to be allocated to the Government of Southern Ireland or to the Government of Northern Ireland, the Civil Service Committee shall, so far as the exigencies of the public service admit, endeavour to give effect to the wishes of the officer:

Provided that any existing Irish officers who at the appointed day are solely employed in public services which are as from the appointed day administered by the Council of Ireland shall become officers of the Council of Ireland.

PROVISIONS AS TO MEMBERS OF POLICE.

Continuation of service of and compensation to members of the police forces.

60.—(1) All officers and constables of the Dublin Metropolitan Police and the Royal Irish Constabulary who are serving at the day of transfer shall, after that day, continue to serve on the same terms and conditions as theretofore, and shall be liable to perform the same duties as theretofore, and while so serving shall not receive less salaries than they would have received if this Act had not passed.

(2) Any existing enactments relating to the pay or pensions of officers and constables of the Dublin Metropolitan Police and Royal Irish Constabulary shall, after the transfer, continue to apply as respects any officer and constable serving at the day of transfer with the substitution of the Lord Lieutenant for the Treasury and for the Chief Commissioner or Inspector-General as the case requires.

(3) Where any such officer or constable, being qualified under the enactments aforesaid to retire on pension for length of service on or before the day of transfer, continues to serve after that day he shall, on retiring at any subsequent time, be entitled to receive a pension not less in amount than that to which he would have been entitled if he had retired on that day, and his right to receive such pension shall not, while he continues to serve, be liable to forfeiture, except in cases in which a pension when granted is liable to forfeiture under those enactments.

(4) The provisions as to compensation contained in the Ninth Schedule to this Act shall apply with respect to the officers and constables of the Dublin Metropolitan Police and of the Royal Irish Constabulary who are serving at the day of transfer.

(5) Any pensions and other allowances and gratuities which may become payable to officers and constables of the Dublin Metropolitan Police or the Royal Irish Constabulary after the day of transfer (being in either case officers and constables who are serving at the day of transfer) under the existing enactments applicable to them, and any compensation payable to any of those persons under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom; but any sums so paid shall be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.

(6) The Pensions Commutation Acts, 1871 to 1882, shall apply to any member of the Dublin Metropolitan Police or Royal Irish Constabulary to whom an allowance is granted in pursuance of the provisions of this section in like manner as if he had retired from the permanent civil service of the Crown on the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.

(7) In this section and in the Ninth Schedule to this Act the expression "day of transfer" means the day on which the control and management of the said forces are transferred from the Government of the United Kingdom, and the expression "existing enactments" means enactments in force at the day of transfer and includes any orders made under those enactments and in force on that day.

(8) The provisions of this Act with respect to the allocation of existing Irish officers as between Southern and Northern Ireland shall, unless the administration of the Royal Irish Constabulary is transferred to the Government of Ireland, apply to officers and constables of the Royal Irish Constabulary with the substitution of references to the Lord Lieutenant acting in accordance with instructions from His Majesty and the date of transfer for references to the Civil Service Committee and the appointed day.

GENERAL.

Continuation of existing laws, institutions, &c.

61. All existing laws, institutions, and authorities in Ireland, whether judicial, administrative, or ministerial, and all existing taxes in Ireland, shall, except as otherwise provided by this Act, continue as if this Act had not passed, but with the modifications necessary for adapting them to this Act, and subject, as respects matters within the powers of the Parliaments of Southern Ireland and Northern Ireland, and after the date of Irish Union within the powers of the Parliament of Ireland, to repeal, abolition, alteration, and adaptation in the manner and to the extent authorised by this Act.

Use of Crown lands by Irish Governments.

62. His Majesty the King in Council may place under the control of the Government of Southern Ireland or Northern Ireland, for the purposes of that Government, or under the control of the Council of Ireland for the purposes of that Council, such of the lands, buildings, and property in Southern Ireland and Northern Ireland respectively vested in or held in trust for His Majesty, and subject to such conditions or restrictions (if any) as may seem expedient.

Arrangements between departments

63. Arrangements may be made by any department of the Government of the United Kingdom for the exercise and performance on behalf of that department of any powers or duties of that department by officers of a department of the Government of Southern Ireland or Northern Ireland, or by officers of the Council of Ireland, or by any department of the Government of Southern Ireland or Northern Ireland, or by the Council of Ireland for the exercise and performance on behalf of that department or Council of any powers or duties of that department or Council by officers of a department of the Government of the United Kingdom, or by officers of a department of the Government of Northern Ireland or Southern Ireland, as the case may be, on such terms and conditions as may be agreed:

Provided that no such arrangements shall diminish in any respect the responsibility of the department or Council by which the arrangement is made.

Special provisions as to certain Universities and Colleges.

64.—(1) No law made by the Parliament of Southern Ireland or Northern Ireland shall have effect so as to alter the constitution or divert the property of, or repeal or diminish any existing exemption or immunity enjoyed by the University of Dublin, or Trinity College, Dublin, or the Queen's University of Belfast, unless and until the proposed alteration, diversion, repeal, or diminution is approved:—

(*a*) in the case of the University of Dublin, or Trinity College, Dublin, by a majority of those present and voting at a meeting of each of the following bodies convened for the purpose, namely, the governing body of the College, and the junior fellows and professors voting together, and the University Council, and the Senate; and

(*b*) in the case of the Queen's University of Belfast by a majority of those present and voting at a meeting of each of the following bodies convened for the purpose, namely: the Senate, and the Academic Council, and the Convocation of the University:

Provided that this section shall not apply to the taking of property (not being land in the occupation of, or used in connexion with the College or either of the Universities) for the purpose of roads, railways, lighting, water, or drainage works, or other works of public utility upon payment of compensation.

(2) There shall be paid annually, out of moneys provided by the Parliament of Southern Ireland to Trinity College, Dublin, a sum of thirty thousand pounds, to the University College, Dublin, a sum of forty-two thousand pounds, to the University College, Cork, a sum of twenty-six thousand pounds, and to the University College, Galway, a sum of seventeen thousand pounds, for the general purposes of those colleges respectively, and the sum so payable to any of those colleges, if and so far as not so paid, shall be deducted on the order of the Joint Exchequer Board from the Irish residuary share of reserved taxes and paid to the college.

(3) There shall be paid annually, out of moneys provided by the Parliament of Northern Ireland to the Queen's University of Belfast, a sum of twenty-six thousand pounds for the general purposes of the University, and that sum, if and so far as not so paid, shall be deducted on the order of the Joint Exchequer Board from the Irish residuary share of reserved taxes and paid to the University.

(4) Until the Joint Exchequer Board certify that the amount standing to the credit of the account of Trinity College under 3 Edw. 7. c. 37. section thirty-nine of the Irish Land Act, 1903, is adequate to afford the indemnity for which provision is made by that section, there shall be paid annually out of moneys provided by the Parliament of Southern Ireland the sum of five thousand pounds to that account; and that sum, if and so far as not so paid, shall be deducted on the order of the Joint Exchequer Board from the Irish residuary share of reserved taxes and paid to that account.

Special provisions as to Freemasons.

65.—(1) It is hereby declared that existing enactments relative to unlawful oaths or unlawful assemblies in Ireland do not apply to the meetings or proceedings of the Grand Lodge of Free and Accepted Masons of Ireland, or of any lodge or society recognised by that Grand Lodge.

(2) Neither the Parliament of Southern Ireland, nor the Parliament of Northern Ireland shall have power to abrogate or affect prejudicially any privilege or exemption of the Grand Lodge of Freemasons in Ireland, or any lodge or society recognised by that Grand Lodge which is enjoyed either by law or custom at the time of the passing of this Act, and any law made in contravention of this provision shall, so far as it is in contravention of this provision, be void.

Provisions as to the Bank of Ireland.

66.—(1) If the Government of Southern Ireland signify their desire to acquire for the use of the Parliament of Southern Ireland the premises (hereinafter referred to as "the bank premises") of the Bank of Ireland situate in or near College Green, in the City of Dublin, they shall be entitled to do so on the fulfilment of the following conditions:—

(*a*) there shall be provided at the expense of the Government of Southern Ireland for the use of the bank a site and

buildings suitable both as to situation of site and accommodation and ready for occupation as head office of the Bank of Ireland;

(*b*) there shall be paid to the bank compensation in respect of the bank premises and of disturbance, after taking into consideration the value of the new premises to be provided as aforesaid;

and on the publication in the Dublin Gazette of an Order by His Majesty in Council declaring that the said conditions have been fulfilled, the bank premises shall vest in His Majesty for the use of the Parliament of Southern Ireland.

(2) Any question as to whether the site and buildings so to be provided are suitable or ready for occupation, or as to the amount of compensation, shall be determined by a court of arbitration consisting of one person appointed by the Bank of Ireland, one person appointed by the Government of Southern Ireland, and a judge of a Supreme Court of Justice for any part of the United Kingdom (who shall be the chairman of the court) appointed by His Majesty, and there shall be paid to the members of the court, other than the chairman, such fees or other remuneration as the chairman of the court may determine to be proper, and those fees or remuneration and any other expenses of the court shall be charged on and paid out of the Consolidated Fund of Southern Ireland.

Repeal of s. 16 of 21 & 22 Geo. 3. c. 11. (Irish).

67. The powers conferred by section sixteen of the Act passed by the Irish Parliament in the session held in the twenty-first and twenty-second years of the reign of His Majesty King George the Third, chapter eleven, intituled, An Act for the better securing the liberty of the subject, shall not be exercised and that section shall be repealed.

Provisions as to certain officers of local authorities, universities or colleges.

68.—(1) No law made by the Parliament of Southern Ireland or the Parliament of Northern Ireland or, after the date of Irish union, by the Parliament of Ireland shall have effect so as to prejudice or diminish the rights or privileges of any existing or pensioned officer of a local authority under the provisions of the Local Government (Ireland) Acts, 1898 to 1919, or any Act relating to superannuation or retiring allowance or of any existing or pensioned officer of a university or college under the provisions of subsection (8) of section sixteen of the Irish Universities Act, 1908.

8 Edw. 7. c. 38.

(2) Subsection (8) of section sixteen of the Irish Universities Act, 1908, and section eight of the Local Government (Ireland) Act, 1919, shall, from and after the appointed day, have effect, with the substitution of the Civil Service Committee for the Treasury and for the Local Government Board and for the Department of Agriculture and Technical Instruction for Ireland.

9 & 10 Geo. 5. c. 19.

Power to make Irish Transfer Orders.

69. His Majesty may, by Orders in Council (in this Act referred to as Irish Transfer Orders), make such regulations as

seem necessary or proper for setting in motion the Parliaments and Governments of Southern and Northern Ireland, and when established the Parliament and Government of Ireland, and also for any other matter for which it seems to His Majesty necessary or proper to make provision for the purpose of bringing this Act into full operation or for giving full effect to any provisions of this Act or to any future transfer under or by virtue of this Act of a reserved service; and in particular His Majesty may by any such Order in Council—

(*a*) make such adaptations of any enactments so far as they relate to Ireland as may appear to him necessary or proper in order to give effect to the provisions of this Act, and also make any adaptations of any enactments so far as they relate to England or Scotland, as may appear to him necessary or proper as a consequence of any change effected by the provisions of this Act; and

(*b*) make such adaptation of any enactments as appear to him necessary or proper with respect to the execution of reserved services and services with respect to which the Parliaments of Southern Ireland and Northern Ireland have not power to make laws, and in particular provide for the exercise or performance of any powers or duties in connexion with those services by any department of the Government of the United Kingdom or officer of that Government where any such powers or duties are, under any existing Act or by the common law, to be exercised or performed by any department or officer in Ireland who will cease to exist as a department or officer of the Government of the United Kingdom; and

(*c*) on the transfer of the postal service make regulations with respect to the relations of the Irish and British Post Offices, and in particular provide for an apportionment of the capital liabilities of the Post Office between the Exchequers concerned, for the execution of postal services by the one Post Office at the request of and on behalf of the other, and for the terms and conditions under which the services are to be so executed, for facilities being given in connexion with any such postal services at the request of one Post Office by the other, and for the reservation of power to His Majesty by Order in Council to transfer in time of war or national emergency the powers or duties of the Irish Post Office to the British Post Office, or to the naval, military, or air force authorities of the United Kingdom; and

(*d*) on the transfer under this Act of public services in connexion with the Post Office Savings Bank, or Trustee Savings Banks, make provisions for giving a depositor

in the Post Office Savings Bank resident in Ireland the right to repayment of any sums due to him in respect of his deposits at the time of the transfer, and for giving the trustees of any Trustee Savings Bank in Ireland the right to close their bank and to require repayment of all sums due to them from the National Debt Commissioners, and for securing to the holder of any annuity or policy of insurance granted before the date of the transfer the payment of the annuity or of any sums due under the policy; and

(*e*) make provision for securing the payment of an old age pension to any person who is entitled to the payment of such a pension at the appointed day, while he continues so entitled; and

(*f*) make provision with respect to the transfer and apportionment of any property, assets, rights, and liabilities in connexion with Irish services and the transfer of the right to recover any taxes charged but not paid before the appointed day; and for apportioning as between the Exchequer of the United Kingdom and the Exchequers of Southern and Northern Ireland the proceeds of transferred taxes properly attributable to Ireland and levied in respect of the financial year in which the appointed day falls; and

(*g*) where the day appointed for the transfer of any Irish service is subsequent to the day appointed as the day from which the Irish residuary share of reserved taxes becomes payable, provide for the proper deductions being made from that share in respect of the cost of that service during the interval between the said days; and

(*h*) provide, in cases where the same Act deals with reserved matters or matters with respect to which the Parliaments of Southern Ireland and Northern Ireland have not power to make laws and with other matters, for specifying the matters dealt with by the Act which are to be treated in accordance with this Act as such other matters; and

(*i*) provide for the reservation of power to His Majesty to confer on the naval, military, or air force authorities of the United Kingdom control over any harbours, lighthouses, light vessels, buoys, beacons, or other navigational marks to such extent, at such times and in such circumstances as may appear to His Majesty to be required in the national interests; and

(*j*) provide for the inclusion in the National Health Insurance Joint Committee of representatives of the Governments of Southern Ireland and Northern Ireland (or if the services connected with the administration of Part I. of the National Insurance Act, 1911, as amended by subsequent enactments are transferred to the 1 & 2 Geo. 5. c. 55.

Council of Ireland, a representative of the Council of Ireland), and for conferring on that committee such powers in relation to England, Scotland, Wales, Southern Ireland and Northern Ireland as are, before the appointed day, exerciseable by the committee in relation to England, Scotland, Ireland and Wales; and

(*k*) in the event of the Parliament of Ireland being established apply, so far as applicable, and subject to this Act and the constituent Acts, and subject to any necessary adaptations, to the Parliament and Government of Ireland, and ministers, departments, and officers of that Government, the provisions of this Act relating to the Parliaments and Governments of Southern and Northern Ireland, and ministers, departments, and officers of those Governments, and provide for the transfer of officers, property, and liabilities from the Governments of Southern and Northern Ireland to the Government of Ireland.

Irish Transfer Orders to be laid before Parliament.

70.—(1) Any Irish Transfer Order made under this Act shall be laid before both Houses of the Parliament of the United Kingdom within forty days next after it is made if Parliament is then sitting, or if not, within forty days after the commencement of the then next ensuing session; and, if an address is presented to His Majesty by either of those Houses within twenty-one days on which that House has sat next after any such order is laid before it praying that any such Order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the Order so annulled shall forthwith become void, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the Order.

(2) Any Irish Transfer Order made under this Act shall, subject to the foregoing provisions of this section, have effect as if enacted in this Act.

Alteration of scale of election expenses.

71. The provisions of the Fourth Schedule to the Representation of the People Act, 1918, in their application to elections of members to serve in the Parliament of the United Kingdom or the Parliament of Southern Ireland or Northern Ireland for any of the constituencies named in Part I. or Part II. of the Fifth Schedule to this Act, shall have effect with the substitution of two pence for seven pence and for five pence.

Provisions applicable in case of either House of Commons not being properly constituted.

72.—(1) If the Lord Lieutenant certifies that the number of members of the House of Commons of Southern Ireland or Northern Ireland validly returned at the first election of members of the Parliament of Southern Ireland or Northern Ireland is less than half the total number of members of that House, or that the number of members of the House of Commons of Southern Ireland or Northern Ireland who have taken the oath as such members within fourteen days from the date on which the Parlia-

ment of Southern Ireland or Northern Ireland is first summoned to meet, is less than one half of the total number of members of that House, His Majesty in Council may, by Order, provide for the dissolution of the Parliament of Southern Ireland or Northern Ireland, as the case may be, and for the exercise of the powers of the Government of Southern Ireland or Northern Ireland, as the case may be, by the Lord Lieutenant with the assistance of a committee consisting of such persons (who shall be members of the Privy Council of Ireland) as His Majesty may appoint for the purpose, and of the powers of the Parliament of Southern Ireland or Northern Ireland, as the case may be, by a legislative assembly consisting of the members of the said committee, together with such other persons as His Majesty may appoint for the purpose, and the Order may make such modifications in this Act in its application to the part of Ireland affected as may appear to His Majesty to be necessary for giving effect to the Order, and for making the provisions of this Act (including provisions as to the Council of Ireland) operative in all respects in that part of Ireland, and may contain such other consequential, incidental, and supplemental provisions as may appear necessary for the purposes of the Order, and any such Order shall have effect as if enacted in this Act but may be varied by any subsequent Order in Council.

(2) The person holding office in the House of Commons of Southern Ireland and of Northern Ireland corresponding to the office of Speaker of the House of Commons of the United Kingdom shall, at the expiration of the said period of fourteen days from the date on which the Parliament of Southern Ireland or Northern Ireland, as the case may be, is first summoned to meet, send to the Lord Lieutenant a list containing the names of the members of the House who have taken the oath as such members, and, for the purposes of this section, a member shall be deemed not to have taken that oath unless his name is included in a list so sent.

(3) At any time within three years from the first day of June, nineteen hundred and twenty-one, His Majesty in Council may, subject as hereinafter provided, by Order provide for the revocation of any Order in Council made under subsection (1) of this section and for the issue of a proclamation summoning a Parliament as constituted by this Act to meet for the part of Ireland affected by such Order in Council; and, if such a proclamation is issued and an election is held in pursuance thereof, subsections (1) and (2) of this section shall apply in the case of that election in like manner as they applied in the case of the first election of members of the Parliament of that part of Ireland:

Provided that, before any Order in Council is made under this subsection, a draft thereof shall be laid before each House of Parliament for a period of not less than thirty days during the session of Parliament, and, if before the expiration of that period both Houses present an Address to His Majesty against

the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of a new draft Order.

Commencement of Act and appointed day.

73.—(1) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day for the purposes of this Act shall be the first Tuesday in the eighth month after the month in which this Act is passed, or such other day not more than seven months earlier or later, as may be fixed by Order of His Majesty in Council either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, but the Parliaments of Southern and Northern Ireland shall be summoned to meet not later than four months after the said Tuesday, and the appointed day for holding elections for the Parliaments of Southern and Northern Ireland shall be fixed accordingly:

Provided that the appointed day as respects the transfer of any service may, at the joint request of the Governments of Southern Ireland and Northern Ireland, be fixed at a date later than seven months after the said Tuesday and that the appointed day as respects the provisions relating to the representation of Ireland in the House of Commons of the United Kingdom shall be a day not earlier than the day on which the Parliament of the United Kingdom is next dissolved after the passing of this Act.

(2) Nothing in this Act shall affect the administration of any service before the day appointed for the transfer of that service from the Government of the United Kingdom.

Definitions.

74. In this Act, unless the context otherwise requires—

The expression "existing" means existing at the appointed day:

The expression "constituency" means a county, borough, or university returning a member or members to serve in the House of Commons of Southern or Northern Ireland, or the Parliament of the United Kingdom, as the case requires:

The expression "parliamentary elector" means a person entitled to be registered as a voter at a parliamentary election:

The expression "parliamentary election" means the election of a member to serve in the Parliament of the United Kingdom:

The expression "election laws" means the laws relating to the election of members to serve in the Parliament of the United Kingdom, other than those relating to the qualification of electors, and includes all the laws respecting the registration of electors, the issue and execution of writs, the creation of polling districts, the taking of the poll, the method of voting, and

counting votes, the questioning of elections, corrupt and illegal practices, the oath, qualification and disqualification of members, and the vacating of seats :

The expression "Customs duties" includes export duties as well as import duties :

The expression "excess profits duty" includes any tax on war-time increases of wealth, and any other tax which may hereafter be imposed in lieu of excess profits duty :

The expression "postal service" includes any telegraphic and telephonic service, and the issue, transmission, and payment of Post Office money orders and postal orders, but shall not include duties with respect to old age pensions or national health insurance undertaken by the Postmaster-General or such other duties of a similar character undertaken by him as may be excluded by Order in Council :

The expression "submarine cable" includes any land lines used solely for the purpose of connecting a submarine cable with another submarine cable :

The expression "Treasury of Southern or Northern Ireland" means the department or officer, by whatever name called, for the time being entrusted with the administration of finance in Southern and Northern Ireland respectively :

The expression "county court judge" includes recorder :

The expression "salary" includes remuneration, allowances, and emoluments :

The expression "pension" includes superannuation allowance and gratuity, and in relation to an officer or constable of the Royal Irish Constabulary or Dublin Metropolitan Police includes a pension or gratuity payable to the widow or children of an officer or constable :

The expression "office" includes any place, situation, or employment, and the expression "officer" shall be construed accordingly :

The expression "officer" in relation to the Royal Irish Constabulary includes the Inspector-General, the Deputy-Inspector-General, an Assistant-Inspector-General, the Assistant-Inspector-General-Commandant of the Depôt, the Town Inspector at Belfast, a county inspector, a surgeon, a storekeeper and barrack-master, the veterinary surgeon, and a district inspector, and in relation to the Dublin Metropolitan Police, includes the Chief Commissioner and Assistant-Commissioner :

The expression "constable" in relation to the Royal Irish Constabulary includes the head-constable-major, a head-constable, sergeant, acting sergeant, and constable; and in relation to the Dublin Metropolitan

Police includes every member of that force not being of higher rank than chief superintendent, and not being a member of the clerical staff only:

The expression "Royal Irish Constabulary" includes the reserve force of that body.

Saving for supreme authority of the Parliament of the United Kingdom.

75. Notwithstanding the establishment of the Parliaments of Southern and Northern Ireland, or the Parliament of Ireland, or anything contained in this Act, the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things in Ireland and every part thereof.

Short title and repeal.

76.—(1) This Act may be cited as the Government of Ireland Act, 1920.

4 & 5 Geo. 5. c. 90.

(2) The Government of Ireland Act, 1914, is hereby repealed as from the passing of this Act.

SCHEDULES.

Section 7.

FIRST SCHEDULE.

PROCEDURE OF THE COUNCIL OF IRELAND IN RELATION TO THEIR POWERS OF PRIVATE BILL LEGISLATION.

1. Where any public authority or any persons (hereinafter referred to as "the promoters") desire to obtain an order of the Council of Ireland in regard to any matter with respect to which the Council have power to make an order under section seven of this Act, the promoters may proceed by presenting a petition to the Council praying them to issue an order in accordance with the draft order submitted to them by the promoters, or in accordance with that draft, subject to such modifications as may appear necessary.

2. The Council may make standing orders (subject, in the case of orders as to fees, to the consent of the Treasuries of Southern Ireland and Northern Ireland) with respect to the procedure under this schedule and in particular with respect to—

(*a*) the time and manner in which petitions are to be presented;

(*b*) the deposit of plans and books of reference;

(*c*) the publication of notices, and, where land is to be taken, the service of notices on owners, lessees, and occupiers;

(*d*) the deposit of copies of the draft order, whether as originally presented or as proposed to be altered, with the Council of Ireland, and such departments of the Governments of Southern Ireland and Northern Ireland as may be prescribed by the Lord Lieutenant, and in such cases as may be prescribed by the Lord Lieutenant with such departments of

the Government of the United Kingdom as may be so prescribed;

(*e*) the holding of meetings of the Council for the consideration of petitions and draft orders;

(*f*) the reference of petitions, draft orders, and oppositions to examiners for examination and report whether standing orders have been complied with and otherwise;

(*g*) the reference of draft orders for consideration by committees of the Council;

(*h*) oppositions to draft orders;

(*i*) fees;

so, however, that the standing orders shall authorise oppositions to a draft order by any persons who, if the petition had been a petition for a Bill presented to the Parliament of the United Kingdom, would have been entitled to appear and oppose the Bill, and shall require the reference of the draft order to a committee of the Council in any case where it is opposed and the opposition has not been withdrawn, and shall require the committee to sit in that part of Ireland in which the promoters reside or have their principal place of business.

(3) The Council shall, after considering any reports received by them from any department with which copies of the draft order have been deposited, and, where the draft order has been referred to a committee of the Council, the report of that committee, determine whether to issue the order as prayed for, or to issue the order with such modifications as may appear to be necessary having regard to such representations and report as aforesaid, or to refuse to issue any order:

Provided that, where a draft order has been referred to a committee of the Council, and that committee has reported that the order should not be made, the Council shall refuse to issue an order.

SECOND SCHEDULE.

Section 13.

COMPOSITION OF SENATE OF SOUTHERN IRELAND.

PART I.

OFFICES ENTITLING HOLDERS TO BE SENATORS.

The Lord Chancellor of Ireland;
The Lord Mayor of Dublin;
The Lord Mayor of Cork.

PART II.

NOMINATED SENATORS.

	Number of Senators.
Representatives of Commerce (including Banking), Labour, and the Scientific and Learned Professions, to be nominated by the Lord Lieutenant.	17

PART III.

ELECTED SENATORS.

Description of Senators.	Number of Senators.	Electors.
Archbishops or Bishops of the Roman Catholic Church holding Sees situated wholly or partly in Southern Ireland.	4	The Archbishops and Bishops of the Roman Catholic Church holding Sees situated wholly or partly in Southern Ireland.
Archbishops or Bishops of the Church of Ireland holding Sees situated wholly or partly in Southern Ireland.	2	The Archbishops and Bishops of the Church of Ireland holding Sees situated wholly or partly in Southern Ireland.
Peers who are taxpayers or ratepayers in respect of property in and have residences in Southern Ireland.	16	The Peers who are taxpayers or ratepayers in respect of property in and have residences in Southern Ireland.
Members of His Majesty's Privy Council in Ireland of not less than two years' standing who are taxpayers or ratepayers in respect of property in and have residences in Southern Ireland.	8	The Members of His Majesty's Privy Council in Ireland who are taxpayers or ratepayers in respect of property in and have residences in Southern Ireland.
Representatives of County Councils in Leinster - - - - 4 Munster - - - - 4 Connaught - - - 4 Co. Donegal - - - Co. Monaghan - - - 2 Co. Cavan - - -	14	By the Members of County Councils voting together as Provinces.

Section 5.

THIRD SCHEDULE.

COMPOSITION OF SENATE OF NORTHERN IRELAND.

PART I.

OFFICES ENTITLING HOLDERS TO BE SENATORS.

The Lord Mayor of Belfast;
The Mayor of Londonderry.

PART II.

ELECTED SENATORS.

Twenty-four senators to be elected by the members of the House of Commons of Northern Ireland.

FOURTH SCHEDULE. Section 13.

PROVISIONS WITH RESPECT TO THE NOMINATION, ELECTION, AND TERM OF OFFICE OF SENATORS.

1. His Majesty may, by Orders in Council, make such provisions as may appear necessary or proper with respect to the election of senators, and in particular with respect to the making and keeping of lists of the electors specified in the third part of the Second Schedule, the issue of writs, the modes of service, and the returns to be made to such writs.

2.—(*a*) The term of office of every elected member of the Senate of Northern Ireland shall be eight years, provided that one-half of such members shall retire at the end of every fourth year, the members to retire at the end of the first four years being selected by lot.

(*b*) With respect to the members of the Senate of Southern Ireland, the term of office of every nominated senator, and of every elected senator (other than senators elected by members of county councils) shall be ten years, and the term of office of a senator elected by members of county councils shall be three years. Provided that, where a particular qualification is required under Part III. of the Second Schedule for a senator to be elected by any of the classes of electors specified in that part of the said schedule, such a senator shall cease to hold office on ceasing to have that qualification. The disqualification of persons in Holy Orders shall not apply in respect of any Archbishop or Bishop of the Roman Catholic Church or Church of Ireland elected as a senator of the appropriate class.

(*c*) The term of office of a senator shall not be affected by a dissolution of the Parliament of Southern Ireland or Northern Ireland.

(*d*) Senators shall retire at the end of their term of office and their seats shall be filled by new elections.

3. If the place of an elected senator becomes vacant before the expiration of his term of office by death, resignation, incapacity, or otherwise, the Lord Lieutenant shall cause a writ or writs to be issued for the election by the body by whom such senator was elected of a senator in his place, and, if the place of a nominated senator so becomes vacant, the Lord Lieutenant shall nominate a new senator in his place, but any senator so elected or nominated to fill a casual vacancy shall hold office only so long as the senator in whose stead he is elected or nominated would have held office.

4. At any contested election of four or more members of the Senate of Southern Ireland or of Northern Ireland, the election shall

be according to the principle of proportional representation, each elector having one transferable vote as defined by the Representation of the People Act, 1918, and His Majesty in Council shall have the same power of making regulations in respect thereto as he has under subsection (3) of section twenty of that Act and that subsection shall apply accordingly.

Sections 14 and 71.

FIFTH SCHEDULE.

PART I.

CONSTITUENCIES IN SOUTHERN IRELAND.

Boroughs.

Constituency.	Number of Members for Parliament of Southern Ireland.	Number of Members for Parliament of United Kingdom.
DUBLIN:		
Mid Dublin, consisting of the College Green and the Dublin Harbour Divisions.	4	1
North West Dublin, consisting of the Clontarf, St. James's and St. Michan's Divisions.	4	1
South City, consisting of St. Patrick's and St. Stephen's Green Divisions.	4	1
CORK - - - - - - -	4	1
Total (Boroughs) -	16	4

Counties.

Constituency.	Number of Members for Parliament of Southern Ireland.	Number of Members for Parliament of United Kingdom.
Cavan - - - - - -	3	1
Donegal - - - - - -	6	1
Monaghan - - - - - -	3	1
Dublin - - - - - -	6	2
King's County - - - - }	4	1
Queen's County - - - - }		
Kildare - - - - - }	5	1
Wicklow - - - - - }		
Wexford - - - - - -	4	1
Carlow - - - - - }	4	1
Kilkenny - - - - - }		
Longford - - - - - }	4	1
Westmeath - - - - - }		
Louth - - - - - }	5	1
Meath - - - - - }		

Constituency.	Number of Members for Parliament of Southern Ireland.	Number of Members for Parliament of United Kingdom.
Clare	4	1
East Limerick	4	1
Borough of Limerick		
Kerry	8	2
West Limerick		
Cork, East	3	1
Cork, North-East		
The remaining five divisions of Cork.	8	2
Tipperary, East	5	1
Waterford		
Borough of Waterford		
The remaining three divisions of Tipperary.	4	1
Galway	7	2
North Mayo	4	1
West Mayo		
South Mayo	4	1
South Roscommon		
East Mayo	5	1
Sligo		
Leitrim	4	1
North Roscommon		
Total (Counties)	104	26

UNIVERSITIES.

Constituency.	Number of Members for Parliament of Southern Ireland.	Number of Members for Parliament of United Kingdom.
Dublin University	4	2
National University	4	1
Total (Universities)	8	3

	Number of Members for Parliament of Southern Ireland.	Number of Members for Parliament of United Kingdom.
Total of Members:		
Borough Members	16	4
County Members	104	26
University Members	8	3
Total Members	128	33

PART II.

CONSTITUENCIES IN NORTHERN IRELAND.

Boroughs.

Constituency.	Number of Members for Parliament of Northern Ireland.	Number of Members for Parliament of United Kingdom.
BELFAST:		
East Belfast, consisting of the Pottinger and the Victoria Divisions.	4	1
North Belfast, consisting of the Duncairn and the Shankill Divisions.	4	1
South Belfast, consisting of the Cromac and the Ormeau Divisions.	4	1
West Belfast, consisting of the Falls, St. Anne's and the Woodvale Divisions.	4	1
Total (Boroughs) -	16	4

Counties.

Constituency.	Number of Members for Parliament of Northern Ireland.	Number of Members for Parliament of United Kingdom.
Antrim - - - - - -	7	2
Armagh - - - - -	4	1
Fermanagh - - - - -	8	2
Tyrone - - - - -		
Londonderry (including the Borough of Londonderry).	5	1
Down - - - - - -	8	2
Total (Counties) -	32	8

UNIVERSITY.

Constituency.	Number of Members for Parliament of Northern Ireland.	Number of Members for Parliament of United Kingdom.
Queen's University of Belfast. -	4	1
Total (University) -	4	1

	Number of Members for Parliament of Northern Ireland.	Number of Members for Parliament of United Kingdom.
Total of Members :		
Borough members - - -	16	4
County members - - -	32	8
University members - -	4	1
Total members -	52	13

SIXTH SCHEDULE.

Section 23.

IMPERIAL LIABILITIES AND EXPENDITURE.

I. National Debt charges, that is to say :—

(1) The charge in respect of the funded and unfunded debt of the United Kingdom, inclusive of terminable annuities paid out of the permanent annual charge for the National Debt and inclusive of the cost of the management of the said funded and unfunded debt; and

(2) All other charges on the Consolidated Fund of the United Kingdom for the repayment of borrowed money or to fulfil a guarantee, other than charges in respect of local loans stock and any guaranteed stock raised for the purpose of land purchase in Ireland,

after deducting any sums received by way of interest on any advances made to the Government of any of His Majesty's Dominions or any foreign country :

Provided that any debt or charge incurred or created after the passing of this Act for raising money for the purpose of any expenditure which is not Imperial expenditure within the meaning of this Schedule shall be excluded.

II. Naval, Military, and Air Force Expenditure (including pensions and allowances payable to persons who have been members of or in respect of service in any of the naval, military, or air forces, or their widows or dependants, and provision for the training, education, employment, and assistance for the re-instatement in civil life of persons who have ceased to be members of any such force).

III. Civil Expenditure, that is to say :—

(*a*) Civil List and Royal Family.

(*b*) Expenditure in connexion with—

(i) the Parliament of the United Kingdom;

(ii) The National Debt Commissioners;

(iii) The Foreign Office and diplomatic and consular services, including secret service, special services, and telegraph subsidies;

(iv) The Colonial Office, including special services and telegraph subsidies;

(v) Trade with any place out of the United Kingdom;
(vi) The Mint;

(*c*) Such of the expenditure in connexion with any other Government department as the Joint Exchequer Board may determine to be Imperial expenditure;

after deducting any sums received otherwise than by way of taxation which the Joint Exchequer Board may determine to be of the nature of Imperial receipts.

Sections 39 and 46.

SEVENTH SCHEDULE.

PART I.

SUPREME COURT OF JUDICATURE OF SOUTHERN IRELAND.

1.—(1) His Majesty's High Court of Justice in Southern Ireland shall consist of seven judges, namely, the Lord Chief Justice of Southern Ireland, who shall be president thereof, and six puisne judges, or, so long as the existing Master of the Rolls retains his office, the Master of the Rolls and five puisne judges.

(2) The Judicial Commissioner of the Land Commission shall, by virtue of his office, be an additional judge of the High Court of Justice in Southern Ireland for the purposes of his powers and duties in relation to land purchase.

2.—(1) His Majesty's Court of Appeal in Southern Ireland shall consist of the Lord Chief Justice of Southern Ireland, who shall be president thereof, and two ordinary judges, who shall be known as Lords Justices of Appeal:

Provided that, so long as the existing Master of the Rolls retains his office, he shall ex-officio be a member of the Court of Appeal.

(2) The Lord Chief Justice of Southern Ireland may request any judge of the High Court of Justice in Southern Ireland to attend at any time for the purpose of sitting as an additional judge of the Court of Appeal in Southern Ireland, and any judge whose attendance is so requested, shall attend accordingly, and while attending shall be deemed to be an additional judge of that Court of Appeal.

PART II.

SUPREME COURT OF JUDICATURE OF NORTHERN IRELAND.

1.—(1) His Majesty's High Court of Justice in Northern Ireland shall consist of three judges, namely, the Lord Chief Justice of Northern Ireland, who shall be president thereof, and two puisne judges.

(2) The Judicial Commissioner of the Land Commission shall, by virtue of his office, be an additional judge of the High Court of Justice in Northern Ireland for the purposes of his powers and duties in relation to land purchase.

2.—(1) His Majesty's Court of Appeal in Northern Ireland shall consist of the Lord Chief Justice of Northern Ireland, who shall be president thereof, and two ordinary judges, who shall be known as Lords Justices of Appeal.

(3) The Lord Chief Justice of Northern Ireland may request any Judge of the High Court of Justice in Northern Ireland to attend at any time for the purpose of sitting as an additional judge of the Court of Appeal in Northern Ireland, and any judge whose attendance is so requested shall attend accordingly, and while attending shall be deemed to be an additional judge of that Court of Appeal.

PART III.

TRANSITORY PROVISIONS.

1. All the existing judges of the Supreme Court of Judicature in Ireland, other than the Lord Chancellor, shall, as from the appointed day, be transferred to and become judges holding corresponding offices in the Supreme Court of Southern Ireland:

Provided that—

(*a*) if any such judge not less than one month before the appointed day notifies to the Lord Chancellor of Ireland his desire to be transferred to the Supreme Court of Northern Ireland, he shall, if the Lord Chancellor and the Lord Chief Justice of Northern Ireland approve, be transferred to and become a judge of that Court instead of a judge of the Supreme Court of Southern Ireland; and

(*b*) if any such judge so notifies to the Lord Chancellor of Ireland his desire to retire instead of being so transferred, His Majesty may, if he thinks fit, notwithstanding that such judge has not completed the period of service entitling him to a pension, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as His Majesty thinks fit;

(*c*) The existing Lord Chief Justice of Ireland, if he becomes Lord Chief Justice of Southern Ireland, shall, so long as he holds that office, be entitled to retain the rank and title of Lord Chief Justice of Ireland, and to exercise any jurisdiction in respect of and on behalf of His Majesty as a visitor to any college or other charitable foundation exerciseable by him on the appointed day;

(*d*) The Lord Chief Justice of Northern Ireland shall be appointed not less than one month before the appointed day.

2. If by reason of such transfers the number of judges of the Supreme Court of Southern Ireland or of the Supreme Court of Northern Ireland is greater than the number provided by this Act as the number of judges of those courts respectively, no new judge of that court shall be appointed until the number of the judges thereof has been reduced below such number as aforesaid.

3. Subject to the provisions of this Schedule with respect to the existing solicitors, all existing officers of or attached to the Supreme Court of Judicature in Ireland (including the Registrar in Lunacy and the officers employed in his office) shall, as from the appointed day, be transferred to and become officers holding corresponding offices in or attached to the Supreme Court of Southern Ireland

Provided that—

(*a*) if any such officer not less than one month before the appointed day notifies to the Lord Chancellor his desire

to be transferred to the Supreme Court of Northern Ireland or to the High Court of Appeal for Ireland, he shall, if the Lord Chancellor and the Lord Chief Justices of Southern Ireland and Northern Ireland approve, be transferred to and become an officer of or attached to the Supreme Court of Northern Ireland, or the High Court of Appeal for Ireland; and

(*b*) any such officer, if concerned wholly with functions of the Lord Chancellor which are retained by the Lord Chancellor, shall remain an officer of the Lord Chancellor, and, if concerned wholly or mainly with functions of the Lord Chancellor or Master of the Rolls which are by this Act transferred to the Lord Lieutenant, shall become an officer attached to the Lord Lieutenant, and shall hold office by the same tenure and upon the same terms and conditions by and upon which he holds office on the appointed day, and any question as to whether any such officer is wholly or mainly so concerned shall be determined by the Lord Lieutenant.

4. All existing members of the Irish Bar shall, as from the appointed day, become members both of the Bar of Southern Ireland and of the Bar of Northern Ireland, and shall have right of audience in the Supreme Court both of Southern Ireland and of Northern Ireland.

5. All existing solicitors of the Supreme Court of Judicature in Ireland shall, as from the appointed day, become solicitors of the Supreme Court both of Southern Ireland and of Northern Ireland and of the High Court of Appeal for Ireland.

6. Any person who on the appointed day is apprenticed to a solicitor of the Supreme Court of Judicature in Ireland shall, if he is thereafter admitted to be a solicitor of the Supreme Court of Southern Ireland or Northern Ireland, become, by virtue of such admission, a solicitor of the Supreme Court of Northern Ireland or Southern Ireland and of the High Court of Appeal for Ireland.

7. All proceedings, whether civil or criminal, which are pending in the Supreme Court of Judicature in Ireland at the appointed day, including proceedings in which a judgment or order has been given or made but not enforced, shall be transferred either to the Supreme Court of Southern Ireland or the Supreme Court of Northern Ireland in accordance with the following rules :—

(1) If the parties agree, the proceeding, unless it relates to land, shall be transferred to the court so agreed upon.

(2) If the proceeding relates to land, it shall be transferred to the court within the jurisdiction of which the land is situate:

Provided that, if the land is situate partly in Southern Ireland and partly in Northern Ireland, the proceeding shall be transferred, so far as it relates to land in Southern Ireland, to the Supreme Court of Southern Ireland, and, so far as it relates to land in Northern Ireland, to the Supreme Court of Northern Ireland, unless the proceeding is one with which either court would have jurisdiction to deal, in which case the proceeding shall be transferred in accordance with the rules applicable to proceedings other than those relating to land.

(3) In any other case, the proceeding shall be transferred to the Supreme Court of Southern Ireland, unless the plaintiff or

other person by whom the proceeding was instituted gives notice to the other party or parties of his desire to have it transferred to the Supreme Court of Northern Ireland, in which case it shall be transferred to the Supreme Court of Northern Ireland, provided that any other party, if he objects to the transfer of the proceeding to the Supreme Court of Northern Ireland, may apply to the High Court of Appeal for Ireland, and that court shall have jurisdiction to determine to which of the courts the proceeding is to be transferred, and the decision of the High Court of Appeal for Ireland in the matter shall be final.

Where a case is transferred under the foregoing rules to either court, proceedings thereon shall be continued as if the case had originated in and the previous proceedings had been taken in that court.

EIGHTH SCHEDULE.

Section 50.

PROVISIONS AS TO COMPENSATION OF EXISTING IRISH OFFICERS.

1.—(1) If any existing Irish officer who is serving in the civil service of the Crown in an established capacity, or who, though not so serving in an established capacity, devotes his whole time to the duties of his office—

(*a*) retires under the conditions hereinafter defined as the statutory conditions of retirement; or

(*b*) retires with the permission of the Civil Service Committee given in accordance with this Schedule; or

(*c*) is removed from office by the Government of Southern Ireland or Northern Ireland before he attains the age of sixty-five years for any cause other than misconduct or incapacity, or is required to retire by the Government of Southern Ireland or Northern Ireland before he attains that age for any cause other than as aforesaid;

he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part I. of the Rules contained in this Schedule if he is serving in an established capacity, and in accordance with the provisions of Part II. of the Rules contained in this Schedule, if though not serving in an established capacity he devotes his whole time to the duties of his office.

(2) If any existing Irish officer who is serving in the civil service of the Crown, not being an officer who is serving in an established capacity, or an officer who though not serving in an established capacity devotes his whole time to the duties of his office, is removed from office or required to retire by the Government of Southern Ireland or Northern Ireland for any cause other than misconduct or incapacity, he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part II. of the Rules contained in this Schedule.

(3) The compensation of an officer serving in an established capacity who has previously served in a non-established capacity may be determined in accordance with the provisions of Part II. instead of the provisions of Part I. of the Rules contained in this Schedule, if he so requires, and in that case the limit of the compensation shall be the amount of compensation which might have been awarded if his whole service had been service in an established capacity, and the compensation of an officer not serving in an established capacity may be determined in accordance with the provisions of Part I. instead of the provisions of Part II. of those Rules if the Civil Service Committee are satisfied that he serves in a capacity which under a condition of his employment qualifies him for a superannuation allowance or gratuity on terms not less advantageous than if he served in an established capacity, and accordingly in the application to him of the provisions of Part I. of those Rules references to that condition shall, where the context so requires, be substituted for references to the Superannuation Acts, 1834 to 1914.

2. For the purposes of this Schedule, the statutory conditions of retirement are that—

(*a*) Retirement must take place within a period of seven years from the appointed day (in this Schedule referred to as the transitional period);

(*b*) Notice of the intention to retire must be given in accordance with regulations made by the Civil Service Committee;

(*c*) The retirement must not take place until at least six months after the notice of retirement has been given, and may be postponed by the Civil Service Committee, if they think fit, to any later date (not being more than two years after the date of the notice) within the transitional period; and

(*d*) The retiring officer must show to the satisfaction of the Civil Service Committee that he is not incapacitated by mental or bodily infirmity for the performance of his duties and that he has not attained the age of sixty-five years at the time when the notice is given.

3. The Civil Service Committee shall not give their permission under this Schedule to an officer to retire unless that officer shows to the satisfaction of the Committee—

(*a*) that the duties which he is required to perform are neither the same as nor analogous to the duties theretofore performed by him or involve an unreasonable addition to those duties; or

(*b*) that owing to changes in the conditions of his employment, his position has been materially altered.

4.—(1) For the purpose of the provisions of this Act as to existing officers, petty sessions clerks and officers in the Registry of Petty Sessions Clerks shall be deemed to be officers in the civil service of the Crown, and officers in the Registry of Petty Sessions Clerks shall be deemed for the purposes of this Schedule to be officers to whom the Superannuation Acts, 1834 to 1914, apply.

This provision shall apply to the pensionable assistants of the petty sessions clerks at Cork and Belfast as it applies to the petty sessions clerks.

5. In this Schedule references to the Government of Southern Ireland or Northern Ireland shall include references to any department

or officer of the Government of Southern Ireland or Northern Ireland and to the Council of Ireland.

RULES—PART I.

OFFICERS SERVING IN THE CIVIL SERVICE OF THE CROWN IN AN ESTABLISHED CAPACITY.

A.—On Retirement under the Statutory Conditions of Retirement.

1. The compensation which may be awarded to the officer shall be an annual allowance, not exceeding in any case two-thirds of the salary on which the allowance is reckoned, or, if he has completed less than ten years of service as reckoned for the purposes of this provision, a gratuity.

2. The annual allowance or gratuity shall be calculated in like manner as the superannuation allowance or gratuity which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1914, if he retired on the ground of ill-health, save that, for the purposes of that calculation, the following provisions shall have effect, that is to say :—

(*a*) His years of service shall be reckoned as if he had served up to the end of the transitional period, or to the time when he would have reached the age of sixty-five, whichever may be the earlier, and there shall be added any additional years which he may be entitled to reckon under section four of the Superannuation Act, 1859 : 22 Vict. c. 26.

(*b*) His salary, where there are periodical increments, shall be taken at the amount which it would have reached if he had continued to serve in the same office up to the end of the transitional period.

B.—On retirement with the permission of the Civil Service Committee under this Schedule or on being removed from office or required to retire by the Government of Southern Ireland or Northern Ireland before attaining the age of sixty-five years for any cause other than misconduct or incapacity.

1. The compensation which may be awarded to the officer shall be an annual allowance not exceeding in any case two-thirds of the salary on which the allowance is reckoned, and not less than an allowance calculated in accordance with the following provisions, that is to say :—

An annual allowance calculated in like manner as the superannuation allowance which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1914, if he retired on the ground of ill-health, save that, for the purposes of such calculation, the following provisions shall have effect, that is to say :—

(*a*) Where the officer retires or is removed after the end of the transitional period, ten years shall be added as abolition years to the years of service which he would be entitled to reckon for the purposes of such superannuation allowance :

(*b*) Where the officer retires or is removed during the transitional period his years of service shall be reckoned, and the amount of his salary shall be computed in the same manner as is provided in this Part of these Rules in the case of an officer retiring under the statutory conditions of retirement,

and ten years shall be added as abolition years to the years of service so reckoned:

Provided that—

(i) Where an officer at the time of leaving the service has attained the age of twenty-eight years but has not attained the age of thirty-three years, the abolition years to be added for the purpose of this article shall be seven years instead of ten, and, where an officer at the time of leaving the service has not attained the age of twenty-eight years, or where, whatever his age, his years of service as reckoned for the purposes of this article, exclusive of the abolition years, are less than ten, the abolition years to be added for those purposes shall be five years instead of ten; and

(ii) No abolition years shall be added in excess of the difference between the age of an officer at the time of his leaving the service and the age of sixty-five.

C.—Officers to whom the Superannuation Act, 1909, applies.

9 Edw. 7. c. 10. 1. An officer to whom the Superannuation Act, 1909, applies by reason only of his having elected to adopt the provisions of that Act shall, if he so requires, be treated for the purpose of the determination of his compensation under this Schedule as if he had not so elected.

2. As respects any such officer who does not require his compensation to be determined as aforesaid, and any other officer to whom the Superannuation Act, 1909, applies, the provisions contained in Heads A and B of this Part of these Rules shall have effect subject to the following modifications, that is to say:—

(*a*) The annual allowance or gratuity awarded under head A and the minimum annual allowance awarded under head B shall be calculated on the proportion of salary prescribed by subsection (1) of section one of the Superannuation Act, 1909, instead of the proportion prescribed by section two of the Superannuation Act, 1859, and the annual allowance which may be awarded shall not in any case exceed one-half of the salary on which the allowance is calculated:

(*b*) In addition to the annual allowance or gratuity there shall be awarded to the officer an additional allowance—

(i) In the case of an officer falling under head B, not less than; and

(ii) In the case of an officer falling under head A, equal to—

an allowance calculated in like manner as an additional allowance under the Superannuation Act, 1909, and for the purposes of that calculation his years of service and salary shall be reckoned and computed as in the case of his annual allowance or gratuity, but the additional allowance so awarded shall not exceed one and a half times the amount of the salary on which the allowance is calculated, except in the case of an officer to whom the Superannuation Act, 1909, applies by reason of his having elected to adopt its provisions, and then only to the extent specified in section three of that Act.

RULES—PART II.

OFFICERS SERVING IN THE CIVIL SERVICE OF THE CROWN WHO ARE NOT SERVING IN AN ESTABLISHED CAPACITY.

1. The compensation which may be awarded to the officer shall be such gratuity or annual allowance (if any) as the Civil Service Committee think just having regard to the following considerations, that is to say :—

(*a*) The conditions on which the officer was appointed;
(*b*) The nature and duration of his employment;
(*c*) In the case of officers who do not devote their whole time to the duties of their office, the amount of time so devoted;
(*d*) The circumstances in which he is leaving the service;
(*e*) The compensation which might have been awarded to him on leaving the service in similar circumstances if Part I. of these Rules had applied to him;
(*f*) Any offer made to him of another office or employment under the Government of Southern Ireland or Northern Ireland or the Government of the United Kingdom;
(*g*) The probability (if any) of his having continued in office for a longer period but for the passing of this Act; and
(*h*) any other circumstances affecting his case.

2. The compensation shall in no case be greater than the compensation which might under Part I. of these Rules have been awarded to the officer on leaving the service in similar circumstances if that Part of these Rules had applied to him.

NINTH SCHEDULE.

Section 60.

PROVISION AS TO COMPENSATION OF MEMBERS OF THE ROYAL IRISH CONSTABULARY AND DUBLIN METROPOLITAN POLICE.

1. Any officer or constable who after the day of transfer—

(*a*) retires voluntarily under the conditions in that behalf hereinafter contained; or
(*b*) is removed or required to retire for any cause other than misconduct, and is not incapacitated for the performance of his duty by mental or bodily infirmity,

shall, unless he is qualified for the maximum pension that can be granted to him for length of service only under the existing enactments applicable to him, be entitled on retirement to receive such compensation as may be awarded to him by the Lord Lieutenant in accordance with the Rules contained in this Schedule.

2. The conditions of voluntary retirement are that—

(*a*) Notice of the intention to retire must be given within two years after the day of transfer;
(*b*) The notice must be given in manner prescribed by the Lord Lieutenant;
(*c*) The retirement must not take place until at least six months after the notice of retirement has been given, and may be

postponed by the Lord Lieutenant, if he thinks fit, to any later date not being more than two years after the day of transfer; and

(*d*) The retiring officer or constable must show to the satisfaction of the Lord Lieutenant that he is not incapacitated for the performance of his duties by mental or bodily infirmity, and will not be entitled to retire on the maximum pension for length of service under the enactments aforesaid before the expiration of two years from the date of transfer.

3. In the exercise of his powers under this Schedule the Lord Lieutenant shall act in accordance with instructions from His Majesty.

RULES.

1. The compensation which may be awarded to an officer or constable shall be an annual allowance.

2. Where the officer or constable is removed or required to retire the annual allowance shall be calculated in like manner as the pension which the officer or constable would have been entitled to receive if he had retired for length of service under the existing enactments applicable to him and had been qualified in respect of his length of service for a pension, save that, for the purposes of that calculation, the following provisions shall have effect:—

(*a*) There shall be added to his completed years of actual service if the proportion of salary on which his allowance is calculated is one-fiftieth, ten years, and if that proportion is one-sixtieth, twelve years;

(*b*) His salary shall be taken at the amount which it would have reached if he had continued to serve in the same rank for the number of years so added, and, in the case of a district inspector of the Royal Irish Constabulary of the third class, as if he were entitled to promotion to the second class on the completion of one and a half years' service in the third class, and, in the case of a district inspector of the Royal Irish Constabulary of the second class, as if he were entitled to promotion to the first class on the completion of eleven years' service in the second class;

(*c*) If the number of his completed years of service, as reckoned under this Rule, is less than the minimum number of years of service for which provision as respects pensions is made in the appropriate pension scale, that scale shall apply with the substitution of the number of his completed years of service as so reckoned for that minimum number; and

(*d*) If he has, in addition to his completed years of actual service, served for a period exceeding six months, his service for that period shall be reckoned as a completed year of actual service.

3. Where the officer or constable retires under the conditions of voluntary retirement, the provisions of the last preceding Rule shall apply with the substitution of five years for ten years and six years for twelve years.

4. The allowance awarded to an officer or constable shall in no case exceed two-thirds of his actual pensionable salary.

5. In the event of an officer or constable dying after an annual allowance has been awarded to him under this Schedule, the Lord

Lieutenant may, if he thinks fit, grant a pension or gratuities to the widow and children of the officer or constable in like manner as if the allowance were a pension granted to the officer or constable on retirement.

CHAPTER 68.

An Act to amend section one hundred and eleven of the Children's Act with respect to the constitution of Juvenile Courts in the Metropolitan Police Court District. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution of juvenile courts in the metropolitan police court district. 8 Edw. 7. c. 67. 3 & 4 Vict. c. 84.

1.—(1) An Order in Council made under subsection (5) of section one hundred and eleven of the Children Act, 1908, for the establishment of juvenile courts for the metropolitan police court district may, notwithstanding anything in the Metropolitan Police Act, 1840, provide for such courts being held elsewhere than in the buildings used as metropolitan police courts, and for every such court being constituted of a police magistrate nominated by the Secretary of State, and two justices of the peace for the county of London, of whom one shall be a woman and both of whom shall be chosen from amongst a panel of such justices nominated for the purpose by the Secretary of State:

Provided that nothing in the Order shall prevent a police magistrate sitting alone in any case where he considers that it would be impracticable for the court to be constituted in manner aforesaid, or that it would be inexpedient in the interests of justice to adjourn the business of the court.

(2) The Secretary of State in nominating the magistrates to be presidents of juvenile courts shall have regard to their previous experience and their special qualifications for dealing with cases of juvenile offenders.

(3) The Order shall provide for the justices who are to sit at the several sittings of the court being chosen by the panel, or, if necessary, by the police magistrate, and in case of the absence of the police magistrate through illness, leave or other cause, for his place being taken by another police magistrate or by a barrister-at-law in practice for at least seven years appointed or a justice of the peace approved by the Secretary of State. A barrister-at-law so appointed shall have all the powers of a metropolitan police magistrate so sitting in such juvenile court as aforesaid.

(4) The Order may, for the purpose of facilitating the establishment of juvenile courts, provide for the discontinuance of any of the existing police courts or for the use of an existing police court solely for the purposes of a juvenile court: Provided that an existing police court shall not be discontinued under this section until a public inquiry into the needs of the district has been held by a person appointed for that purpose by the Secretary of State.

Short title. 2. This Act may be cited as the Juvenile Courts (Metropolis) Act, 1920.

CHAPTER 69.

An Act to amend the law relating to the appointment of a Registrar General of Births, Deaths, and Marriages in Scotland. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Secretary of Scotland to appoint a Registrar General of Births, &c. in Scotland. 42 & 43 Vict. c. 44.

1. Section seven of the Lord Clerk Register (Scotland) Act, 1879, shall cease to have effect, and it shall be lawful for the Secretary for Scotland to appoint a Registrar General of Births, Deaths and Marriages in Scotland, who shall have all the powers and duties pertaining to that office, and who shall receive out of moneys provided by Parliament such salary as the Treasury may fix.

Short title and commencement.

2. This Act may be cited as the Registrar General (Scotland) Act, 1920, and shall come into operation on the first day of January, nineteen hundred and twenty-one.

CHAPTER 70.

An Act to control the exportation of gold and silver coin and bullion, and to prohibit the melting or improper use of gold and silver coin. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of 42 & 43 Vict. c. 21. s. 8, to gold and

1.—(1) Section eight of the Customs and Inland Revenue Act, 1879 (which enables the exportation of certain articles to be prohibited), shall have effect as if, in addition to the article

therein mentioned, there were included the following articles, that is to say, gold or silver coin and gold or silver bullion. silver coin and bullion.

(2) If any person acts in contravention of or fails to comply with any condition attached to a licence authorising the exportation of any goods prohibited to be exported by virtue of this section, he shall for each offence, without prejudice to any other liability, be liable to a Customs penalty of one hundred pounds.

(3) Gold produced in any part of His Majesty's Dominions and imported into the United Kingdom under any arrangement approved by the Treasury may, notwithstanding anything in this section, be exported in accordance with the terms of the arrangement.

(4) In this Act the expression "gold or silver bullion" includes gold or silver partly manufactured and any mixture or alloy containing gold or silver.

(5) This section shall continue in force until the thirty-first day of December, nineteen hundred and twenty-five, and no longer, unless Parliament otherwise determines.

Prohibition on melting of gold or silver coin.

2.—(1) It shall not be lawful for any person, except under and in pursuance of a licence granted by the Treasury, to melt down, break up, or use otherwise than as currency any gold or silver coin which is for the time being current in the United Kingdom or in any British possession or foreign country.

(2) If any person acts in contravention of this section, or acts in contravention of or fails to comply with any condition attached to a licence granted under this section, he shall, for each offence, be liable on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour for a term not exceeding two years, or to both such fine and imprisonment, and, in addition to any other punishment, the court dealing with the case may order the articles in respect of which the offence was committed to be forfeited.

Short title.

3. This Act may be cited as the Gold and Silver (Export Control, &c.) Act, 1920.

CHAPTER 71.

An Act to amend the Law relating to Housing in Scotland, and for purposes in connexion therewith.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to hire dwelling-houses compulsorily for housing of the working classes. 53 & 54 Vict. c. 70.

1.—(1) For the purpose of providing houses, any authority, being a local authority within the meaning of Part III. of the Housing of the Working Classes Act, 1890, shall have power to hire compulsorily any house which is suitable, without reconstruction, and has not been in the bonâ fide occupation of any occupier at any time during a period of at least three months immediately preceding the date on which the local authority give notice of their intention to exercise their powers under this section :

Provided that—

(*a*) this section shall not apply to any house erected after or in the course of erection on the second day of April, nineteen hundred and nineteen, or to any house acquired for the public service or for the purpose of the statutory duties or powers of a statutory undertaking and reasonably required for those purposes, or to any house which is required for the occupation of a person engaged on work necessary for the proper working of an agricultural holding;

(*b*) the term for which a house may be hired under this section shall be from the date of the hiring until the twenty-eighth day of May, nineteen hundred and twenty-three; and

(*c*) nothing herein contained shall prevent a local authority hiring compulsorily a house which may be adapted for occupation by more than one family at a reasonable cost having regard to the period of hiring.

(2) For the purposes of this section, a house shall be deemed not to have been in bonâ fide occupation at any time during the period of three months as aforesaid, if such house has not been continuously inhabited as a dwelling-house for at least one week in the said period of three months.

(3) The provisions set out in the First Schedule to this Act shall have effect with respect to the compulsory hiring of houses under this section.

Amendment of s. 1 of 9 & 10 Geo. 5. c. 99.

2. Subsection (2) of section one of the Housing (Additional Powers) Act, 1919 (which prescribes the conditions under which grants may be made to persons constructing houses), shall have

effect as though two years were therein substituted for twelve months.

Every regulation made by the Scottish Board of Health (in this Act referred to as "the Board") prescribing the conditions under paragraph (*a*) of the said subsection, with which houses whereof the construction is begun after the thirty-first day of March, nineteen hundred and twenty-one, shall comply, shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either House within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Amendment of s. 5 of 9 & 10 Geo. 5. c. 99.

3. Section five of the Housing (Additional Powers) Act, 1919 (which gives power to local authorities to prohibit building operations which interfere with the provision of dwelling-houses), shall be amended as follows:—

(1) The powers and duties of a local authority under the said section may, subject to such terms and conditions as may be imposed by the authority, and subject as hereinafter provided, be exercised and performed by a committee appointed under section eighty-one of the Housing of the Working Classes Act, 1890, as amended by section thirty of and the Second Schedule to the Housing, Town Planning, &c. (Scotland) Act, 1919:

Provided that any order made under the aforesaid section five of the Housing (Additional Powers) Act, 1919, by such a committee shall be forthwith submitted to the local authority and taken into consideration by the authority at their next meeting, and shall not continue in force unless confirmed by the authority:

(2) For the purpose of carrying out the provisions of the said section in special cases, any local authorities having powers under the said section may appoint a joint committee consisting as to a majority of its members of members of their own bodies or may otherwise act jointly, and, where any local authorities so appoint a joint committee, the said section shall have effect as though the districts of those authorities were a single district and as though the joint committee were the local authority for that district:

(3) Where the Board are satisfied that the provision of dwelling accommodation within the district of a local authority is or is likely to be hindered—

(*a*) by reason of the construction in the district of some other authority of buildings of less public

importance than the provision of dwelling accommodation; or

(*b*) by reason of the failure of the local authority to make adequate use in their district of their powers under the said section as amended by this section;

the Board, after giving to the local authority concerned fourteen days' notice and an opportunity of being heard, may make such order as they think proper in the circumstances of the case for prohibiting or restricting the construction of works or buildings in the district in question;

An order made by the Board under the foregoing provision shall not extend to any works or buildings authorised or required by, under, or in pursuance of any Act of Parliament, and shall be subject to the like appeal as if it were an order made by a local authority under the said section:

(4) The tribunal to which appeals under subsection (2) of the said section are to be referred by the Board shall, instead of being a standing tribunal consisting of five persons to be appointed by the Board, be constituted as follows:—

(*a*) The Board shall constitute a panel of persons to act as chairmen of the tribunal, and a panel of persons to act as ordinary members of the tribunal;

(*b*) The tribunal shall consist of one person selected by the Board from the panel of chairmen and not less than two persons selected by the Board from the panel of ordinary members;

(*c*) The tribunal shall sit in such number of divisions as the Board may from time to time determine:

(5) It is hereby declared that the power of the Board to make rules of procedure under subsection (2) of the said section includes power to make rules with respect to the hearing of appeals by the tribunal:

(6) The expenses of an appeal under subsection (2) of the said section shall be in the discretion of the tribunal hearing the appeal, and the tribunal may direct to whom, by whom, and in what manner those expenses or any part thereof are to be paid, and may settle the amount of the expenses to be so paid or any part thereof:

An order of the tribunal for payment of expenses may, by leave of the Court of Session, be enforced in the same manner as an order of that Court, and provision may from time to time be made by Act of Sederunt for conferring on any officer of the Court

of Session jurisdiction to grant leave to enforce any such order in the same manner as a judgment or order of the Court to the same effect:

(7) The following shall be substituted for subsection (3) of the said section:—

"(3) An order made under this section shall have effect as from the date specified in the order in that behalf, but any person who is aggrieved by and has appealed against the order may apply to the tribunal of appeal, and the tribunal may, on such terms and conditions as it thinks fit, suspend the operation of the order pending the determination of the appeal or for such shorter period as it thinks fit."

Execution of works, &c., by local authorities outside their own districts in connexion with housing schemes and otherwise. 9 & 10 Geo. 5. c. 60.

4.—(1) Where a housing scheme approved under section one of the Housing, Town Planning, &c. (Scotland) Act, 1919, is being carried into effect by a local authority outside their own district, that authority shall, subject to the approval of the Board, have power—

(*a*) to execute any works which are necessary for the purposes of, or are incidental to the carrying out of, the scheme, subject to entering into agreements with the local authorities of any districts in which the scheme is being carried out as to the terms and conditions on which any such works are to be executed:

(*b*) to borrow money for the purpose of defraying any expenses (including, if the Treasury approve, interest payable in respect of any period before the completion of the scheme or a period of five years from the date of borrowing, whichever period be the shorter, on money borrowed under this section) incurred by the local authority in connexion with any such works as aforesaid, and that on the security of such assessment as the Board may designate for the purpose:

(*c*) to advance to any such local authority as aforesaid such sums as may, by reason of any agreement made under this section, be required by that authority in connexion with the construction by the authority of any such works as aforesaid.

(2) The local authority of any district in which a scheme is being carried out as aforesaid shall have power, with the approval of the Board, to borrow money for the purposes of any agreement entered into by the authority under this section, and that in the same manner as if such works as aforesaid had been executed by the authority.

Extension of s. 7 (2) of 9 & 10 Geo. 5. c. 99.

5. The power conferred on the Board by subsection (2) of section seven of the Housing (Additional Powers) Act, 1919, of imposing by general or special order conditions with regard to the

raising by a county council of money to be lent by the council to a local authority within their area for the purposes of the Housing (Scotland) Acts, 1890 to 1919, shall be deemed to include and always to have included a power to impose conditions with respect to the borrowing by a local authority from a county council of money so raised.

Extension of s. 14 (1) (*d*) of 9 & 10 Geo. 5. c. 60.

6. The power conferred on local authorities by paragraph (*d*) of subsection (1) of section fourteen of the Housing, Town Planning, &c. (Scotland) Act, 1919, of selling houses shall include power with consent of the Board upon any such sale to agree to the price being paid by instalments or to payment of part of the price being secured by bond and disposition in security or otherwise upon the subjects sold.

Rate of interest on certain advances and expenses. 62 & 63 Vict. c. 44. 9 Edw. 7. c. 44.

7. The rate of interest on advances under section one of the Small Dwellings Acquisition Act, 1899, and on any expenses incurred by a local authority under subsection (5) of section fifteen of the Housing, Town Planning, &c. Act, 1909, shall be such rate as the Secretary for Scotland, with the approval of the Treasury, as respects advances under the said section one and the Board, with the approval of the Treasury, as respects expenses incurred under the said subsection (5) may from time to time by order direct.

Amendment of s. 31 of 9 & 10 Geo. 5. c. 60, and of s. 10 of 9 & 10 Geo. 5. c. 99.

8. In section thirty-one of the Housing, Town Planning, &c. (Scotland) Act, 1919, and in section ten of the Housing (Additional Powers) Act, 1919, the words "the issue of any "share or loan capital with interest or dividend exceeding the "rate for the time being prescribed by the Treasury," shall be substituted for the words "the payment of any interest or "dividend at a rate exceeding six per centum per annum" and for the words "payment of any interest or dividend at a "higher rate than six per centum per annum," respectively, and any public utility society or authorised association shall have and shall be deemed to have had power, notwithstanding anything in their rules or constitution prohibiting the payment of any interest on loan capital at a rate exceeding six per centum per annum, to raise money on loan at a rate of interest not exceeding the rate for the time being prescribed by the Treasury as aforesaid.

Citation, extent, and repeal.

9.—(1) This Act may be cited as the Housing (Scotland) Act, 1920.

(2) The Housing (Scotland) Acts, 1890 to 1919, the Housing (Additional Powers) Act, 1919, as that Act applies to Scotland, and this Act may be cited together as the Housing (Scotland) Acts, 1890 to 1920.

(3) This Act shall apply to Scotland only.

(4) The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

PROVISIONS AS TO THE COMPULSORY HIRING OF HOUSES BY LOCAL AUTHORITIES.

1. Where a local authority propose to hire a house compulsorily under this Act, they may give notice in the prescribed manner to the owner of the house of their intention so to do and may make an order for the purpose in the prescribed form.

2. The order shall be published, and twenty-one days' notice thereof shall be given to the owner and any tenant of the house in the prescribed manner.

3. The order shall be submitted to the Board and shall be of no effect until it has been confirmed by them, and prior to such confirmation the owner and tenant, or either of them, shall be entitled to be heard by the Board in opposition to the confirmation of such order: Provided that, in the case of a furnished house, the Board shall not confirm the order unless, after giving all parties concerned an opportunity of being heard, the Board are satisfied that greater hardship would be caused by refusing to confirm than by confirming the order, and provided further that the Board shall not confirm any order where the estimated cost of any alterations or adaptations (including in the case of a furnished house, the cost of removal, storage, insurance, depreciation in value, and reinstatement of furniture) is, in the opinion of the Board, in excess of what is reasonable, having regard to the period of hiring; confirmation by the Board shall be conclusive evidence that the requirements of this Act have been complied with, and that the order has been duly published and made and is within the powers of this Act.

4. No compensation otherwise than by way of rent shall be payable in respect of the house compulsorily hired, and in the case of a furnished house no compensation otherwise than as aftermentioned shall be payable in respect of the furniture in the house or the loss of profit arising from the letting of the house as a furnished house; and in determining the amount of the rent or other sums payable no additional allowance shall be made on account of the hiring being compulsory.

5. Notwithstanding that the amount of the rent or other sums payable has not been determined, the local authority shall be entitled to enter into possession of the house as soon as the order has been confirmed by the Board.

6. In default of agreement as to the amount of rent or other sums to be paid by the local authority, or as to the other terms of the tenancy (including the delivery up of the house in proper condition), the amount of the rent or other sums payable or the other terms shall be fixed by an official arbiter appointed under the Acquisition of Land (Assessment of Compensation) Act, 1919, and the 9 & 10 Geo. 5. c. 57.

provisions of that Act shall apply for the purpose, subject to such necessary adaptations as may be prescribed.

7. In fixing the amount of rent to be paid, regard shall be had to any sums which may have been, or may require to be, spent by the local authority in putting the house into a condition reasonably fit for human habitation.

8. Where the amount which was originally estimated as sufficient to put the house into a state reasonably fit for human habitation subsequently appears to the local authority not to be sufficient for that purpose, the local authority may, with the consent of the Board, apply to have the rent payable re-assessed by the official arbiter.

9. In the case of the compulsory hiring of a furnished house, there shall be payable to the person to whom the furniture in the house belongs such compensation in respect of the removal, storage, insurance, depreciation in value and reinstatement of the furniture as the official arbiter aforesaid shall, in default of agreement, determine; and, if the furniture shall not have been removed prior to the date when the local authority enter into possession of the house, the local authority may make arrangements for the removal and storage of the furniture.

10. In this schedule the expression "prescribed" means prescribed by the Board, and the expression "owner" has the same meaning as in the Public Health (Scotland) Act, 1897.

60 & 61 Vict. c. 38.

Section 9.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
62 & 63 Vict. c. 44.	The Small Dwellings Acquisition Act, 1899.	Subsection (3) of section one.
9 Edw. 7. c. 44.	The Housing, Town Planning, &c. Act, 1909.	In subsection (5) of section fifteen the words "at a rate not exceeding five pounds per centum per annum."

CHAPTER 72.

An Act to make provision for the collection and application of the excise duties on mechanically-propelled vehicles and on carriages; to amend the Finance Act, 1920, as respects such duties; and to amend the Motor Car Acts, 1896 and 1903, and the Development and Road Improvement Funds Act, 1909; and to make other provision with respect to roads and vehicles used on roads, and for purposes connected therewith.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Levying by county councils of duties on mechanically-propelled vehicles and other carriages. 10 & 11 Geo. 5. c. 18. 51 & 52 Vict. c. 8.

1.—(1) The duties on licences for mechanically-propelled vehicles (in this Act referred to as "vehicles"), imposed by section thirteen of the Finance Act, 1920, as amended by this Act, and the excise duties on licences for carriages imposed by section four of the Customs and Inland Revenue Act, 1888, shall, as from the first day of January, nineteen hundred and twenty-one, be levied by county councils in accordance with provisions to be made for the purpose by Order in Council.

(2) Subject to the provisions of this Act and of any Order in Council made under this section, every county council and their officers shall, as from the said first day of January, nineteen hundred and twenty-one, have within their county for the purpose of levying the duties aforesaid (in this Act referred to as "the said duties"), the same powers, duties, and liabilities as the Commissioners of Customs and Excise and their officers have with respect to duties of excise, and to the issue and cancellation of licences on which duties of excise are imposed, and other matters under the Acts relating to duties of excise and excise licences, and all enactments relating to those duties and to punishments and penalties in connection therewith shall apply accordingly.

(3) Every county council shall, subject to the provisions of any Order in Council made under this section, have as respects the said duties and licences the powers given by the said Acts to the Treasury for the restoration of any forfeiture and the mitigation or remission of any penalty or any part thereof.

(4) The duties levied by a county council under this section shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this section.

(5) Provision may be made by Order in Council under this section for enabling the Minister to give such directions to

county councils as he thinks necessary for securing uniformity of administration and otherwise for carrying the provisions of this Act and of any such Order into effect, and it shall be the duty of county councils to comply with any directions so given.

(6) An Order in Council made under this section may be revoked, varied, or amended, by a subsequent Order so made.

Payment out of Consolidated Fund to local taxation accounts and Road Fund.

2.—(1) There shall be charged on and issued out of the Consolidated Fund or the growing produce thereof, in accordance with the directions of the Treasury, a sum equal to the proceeds of the said duties and of all other sums paid into the Exchequer under this Act.

(2) Out of the sum to be issued out of the Consolidated Fund under this section there shall be paid in every year to the Local Taxation Account and the Local Taxation (Scotland) Account the sum of five hundred and thirty-six thousand, nine hundred and fifty-four pounds, eight shillings, and the sum of sixty-four thousand and one pounds, seventeen shillings respectively.

The sum so paid into the Local Taxation Account shall be applied in paying to the councils of counties in England and Wales sums equal to the amounts certified by the Minister of Health to have been collected by those councils respectively during the year ending on the thirty-first day of March, nineteen hundred and nine, in respect of the duties on carriage licences, and the sum so paid into the Local Taxation (Scotland) Account shall be distributed in the same manner as the proceeds of the duties on carriage licences collected in Scotland were distributed in the financial year ending the thirty-first day of March, nineteen hundred and twenty.

The Treasury, in conjunction as respects England and Wales with the Minister of Health, and as respects Scotland with the Secretary for Scotland, may make such adjustments in respect of the payments to be made under the foregoing provision for the financial year ending on the thirty-first day of March, nineteen hundred and twenty-one, as are necessary for securing that local authorities shall, in respect of that year, receive the aforesaid amounts in respect of the duties on carriage licences.

(3) The balance of the sum to be issued out of the Consolidated Fund under this section, after deducting the sums to be paid to the local taxation accounts under this section, shall be paid into the Road Fund to be established under this Act.

Establishment of Road Fund.

3.—(1) There shall be established for the purposes of this Act, in accordance with regulations to be made by the Treasury for the purpose, a fund to be called the Road Fund, and, subject to such regulations as may be made by the Treasury with respect to accounts and investments, the Road Fund shall be subject to the control and management of the Minister.

(2) There shall be transferred or paid to the Road Fund all moneys which on the first day of January, nineteen hundred and

twenty-one, are standing to the account of the road improvement grant or are payable to that account, and all investments representing accumulations of money standing to the account of the road improvement grant shall be transferred to such persons as the Treasury may direct, and shall, upon a direction in that behalf being given by the Treasury, by virtue of this Act vest in the persons specified in the direction, and shall, subject to the provisions of any regulations made by the Treasury under the foregoing subsection, be held by those persons for the purposes of the Road Fund.

(3) Any sums received by the Minister under Part II. of the Development and Road Improvement Funds Act, 1909, shall be paid by the Minister into the Road Fund in such manner as the Treasury may direct. 9 Edw. 7. c. 47.

(4) There shall be paid out of the Road Fund in every year—

(*a*) to every county council by whom the said duties are levied an amount equal to the expenses properly incurred by that council in accordance with directions issued by the Minister with the approval of the Treasury in or in connection with the levying of the duties, the registration of vehicles, and the issuing of licences to drivers of vehicles, and such directions may provide for advances being made to county councils from time to time as may be necessary during the year on account of any expenses so incurred by them as aforesaid:

(*b*) to every local or police authority such sum as the Minister, with the approval of the Treasury, may determine to represent the amount which would, if this Act had not been passed, have been received by the authority on account of fees or charges for the licensing of mechanically-propelled hackney carriages:

(*c*) such part of the expenses incurred by and in connection with the Roads Department of the Ministry of Transport, including the salaries of the staff of that Department as the Minister may from time to time, with the approval of the Treasury, determine to be expenses so incurred in the administration of this Act:

(*d*) any sums paid by the Minister in respect of the salaries and establishment charges of engineers or surveyors to local authorities under subsection (2) of section seventeen of the Ministry of Transport Act, 1919: 9 & 10 Geo. 5. c. 50.

(*e*) all expenses incurred by any other Government Department in connection with the collection of the said duties or otherwise in the administration of this Act:

and, subject to payment of the sums aforesaid and of any sums to be repaid to a local or police authority out of the Road Fund under any other provision of this Act, the moneys standing to

the credit of the Road Fund shall be applied by the Minister for the purposes of Part II. of the Development and Road Improvement Funds Act, 1909, as amended by this Act:

Provided that the sums applied out of the Road Fund towards the construction of new roads, or the acquisition of land, or in respect of any loans raised for any such purpose, shall not in any year exceed one-third of the estimated amount to be paid into the Road Fund in that year, after deducting from that amount the estimated amount of the sums to be paid out of the Road Fund under the provisions of this subsection.

(5) The Minister shall cause an account to be prepared and transmitted to the Comptroller and Auditor General for examination on or before the first day of October in every year, showing the receipts into and issues out of the Road Fund in the financial year ending on the thirty-first day of March preceding, and the Comptroller and Auditor General shall certify and report on the same, and the account and report shall be laid before Parliament on or before the thirty-first day of January in the following year if Parliament be then sitting, and if Parliament be not then sitting, within one week after the next meeting of Parliament.

(6) The Minister shall make an annual report to Parliament of his proceedings under this Act and under Part II. of the Development and Road Improvement Funds Act, 1909, as amended by this Act.

Amendment of 9 Edw. 7. c. 47.

4. Section seven, twelve and fourteen of the Development and Road Improvement Funds Act, 1909, shall cease to have effect, and the amendments specified in the second column of the First Schedule to this Act shall be made in the provisions of that Act specified in the first column of that schedule.

Provisions as to licences.

5.—(1) Every person applying for a licence under section thirteen of the Finance Act, 1920, as amended by this Act, or under section four of the Customs and Inland Revenue Act, 1888, shall make such a declaration and furnish such particulars with respect to the vehicle or carriage for which the licence is to be taken out or otherwise as may be prescribed.

(2) Subject to the provisions of this Act as to general licences, every licence issued under section thirteen of the Finance Act, 1920, as amended by this Act, shall be issued in respect of the vehicle specified in the application for the licence and shall not entitle the person to whom it is issued to use any other vehicle, and a county council shall not be required to issue any licence for which application is made unless they are satisfied that the licence applied for is the appropriate licence for the vehicle specified in the application, and, in the case of an application for a licence for a vehicle purporting to be the first application for a licence in respect of the vehicle, that a licence has not previously been issued in respect of that vehicle.

(3) Where any vehicle in respect of which any such licence as aforesaid has been issued is altered after the licence has been issued in such manner as to cause the vehicle to become a vehicle in respect of which a licence at a higher rate of duty or a licence of a different class is required, the licence shall become void, but the holder of the licence shall, on surrendering the same and furnishing the prescribed particulars, be entitled to receive a new licence in respect of the vehicle, to have effect for the period for which the surrendered licence would, if it had not been surrendered, have remained in force, on payment of such amount, if any, as represents the difference between the amount payable on the new licence and the amount paid on the surrendered licence.

(4) Notwithstanding anything in the provisions of the Acts relating to Excise licenses and without prejudice to those provisions, any such licence as aforesaid may be transferred in the prescribed manner.

(5) Subject as may be prescribed, every such licence as aforesaid shall, in the prescribed manner, be fixed to and exhibited on the vehicle in respect of which it is issued.

(6) Sections twenty and twenty-one of the Revenue Act, 1869, shall, subject to such modifications and exceptions as may be prescribed, apply to the declaration to be prescribed under this section, and sections twenty-two and twenty-three of the said Act shall have effect as though references to the declaration to be so prescribed as aforesaid were therein substituted in relation to carriages for references to the declaration under that Act. 32 & 33 Vict. c. 14.

Registration and identification marks.

6.—(1) On the first issue by a county council of a licence under section thirteen of the Finance Act, 1920, as amended by this Act, for a vehicle it shall be the duty of the council to register the vehicle in the prescribed manner without any further application in that behalf by the person taking out the licence, and, subject to the provisions of this section, every such council shall assign a separate number to every vehicle registered with them, and a mark indicating the registered number of the vehicle and the council with which the vehicle is registered shall be fixed on the vehicle or on any other vehicle drawn by that vehicle or on both in the prescribed manner:

Provided that any number which has been assigned to a motor car under section two of the Motor Car Act, 1903, and which is the registered number of that car on the first day of January, nineteen hundred and twenty-one, shall be treated as having been assigned to the car under the provisions of this section and no new number shall be assigned to such a car. 3 Edw. 7. c. 36.

(2) If the mark to be fixed in accordance with this Act is not so fixed, or if, being so fixed, it is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the vehicle shall for each offence be liable on summary conviction in respect of the first offence to a penalty

not exceeding twenty pounds, and in respect of a second or subsequent offence to a penalty not exceeding fifty pounds :

Provided that a person charged under this section with obscuring a mark or rendering or allowing it to become not easily distinguishable, shall not be liable to be convicted on the charge if he proves that he has taken all steps reasonably practicable to prevent the mark being obscured or rendered not easily distinguishable.

A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the vehicle in accordance with this section, and that the vehicle is being driven on a public road for the purpose of being so registered.

Amendment of 59 & 60 Vict. c. 36, 3 Edw. 7. c. 36, and 9 Edw. 7. c. 37.

7.—(1) References in section ten of the Motor Car Act, 1903, to motor cars shall be deemed to include references to vehicles within the meaning of this Act.

(2) In paragraph (*c*) of subsection (1) of section four of the Motor Car Act, 1903, the words "may cause" shall be substituted for the words "shall cause," and the words "where any particulars are so endorsed" shall be substituted for the word "also," and in subsection (2) of that section the words, "if so required by the convicting court" shall be inserted after the word "shall."

(3) Where a person who is the holder of a licence which has been endorsed under section four of the Motor Car Act, 1903, or under that section as amended by this Act, has not during a continuous period of not less than three years had any conviction so endorsed on the licence, he shall be entitled, either on applying for a renewal of the licence or, subject to payment of a fee of five shillings, at any time, to have issued to him a new licence free from endorsements.

(4) The Minister may, by order on the application of any county council after holding a public inquiry, prohibit or restrict, subject to such exceptions or conditions as to occasional user or otherwise as may be specified in the order, the driving of vehicles of any specified class on any specified highway within the area of the council in any case in which it appears to him, as the result of the inquiry, to be proved that a vehicle of that class cannot be used on that highway without endangering the safety of the vehicle or the persons therein or of other traffic using the highway, or that the highway is unsuitable for use by a vehicle of that class :

Provided that—

(*a*) the Minister may at any time, after giving notice in that behalf to the county council on whose application the order was made, and after considering any objections made by that council, but without holding any public inquiry, revoke, vary, or amend any order made under this subsection; and

(*b*) every order made under this subsection shall require the authority responsible for the maintenance of the highway to which the order relates to give in the prescribed manner notice of the fact that an order has been made under this subsection with respect to that highway.

The provisions contained in the Second Schedule to this Act shall have effect with respect to applications and inquiries under this subsection.

The foregoing provisions of this subsection shall be substituted for section eight of the Motor Car Act, 1903.

(5) The power of the Minister under subsection (2) of section twelve of the Motor Car Act, 1903, to make regulations as to the speed of motor cars exceeding two tons in weight unladen shall include power to make regulations as to the speed on any road of any agricultural tractor whether it exceeds two tons in weight unladen or not.

(6) For the purposes of the Motor Car Acts, 1896 and 1903, and of any other enactments relating to the use of vehicles on roads, the weight unladen of any vehicle shall be taken to be the weight of the vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road, but exclusive of the weight of water, fuel or accumulators (other than boilers) used for the purpose of propulsion and of loose tools or loose equipment:

Provided that, in the case of a vehicle which weighs more than seven and a quarter tons and is specially constructed so that all or part of the superstructure is a permanent, or essentially permanent, fixture and the axle weights of which do not exceed the maximum axle weights prescribed under the Motor Car Act, 1903, or any Act amending that Act, the weight unladen of the vehicle shall be deemed to be seven and a quarter tons.

(7) All sums received by a county council by way of fees for licences granted under section three of the Motor Car Act, 1903, and all penalties recovered in respect of offences under the Motor Car Acts, 1896 and 1903, shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this Act.

(8) The Motor Car (International Circulation) Act, 1909, shall have effect as though the references therein to the Motor Car Act, 1903, included references to this Act.

Amendment of s. 13 and Second Schedule of 10 & 11 Geo. 5. c. 18.

8.—(1) For the purpose of section thirteen of the Finance Act, 1920, and the Second Schedule to that Act, the expression "vehicle" shall not include any vehicle used on tram lines except a tramcar used for the conveyance of passengers.

(2) For the purposes of paragraph 5 of the Second Schedule to the Finance Act, 1920, a vehicle shall not be deemed to be

used otherwise than solely for the conveyance of goods in the course of trade by reason only that it is used for the conveyance in the course of their employment of persons who are in the employment of the person keeping the vehicle.

(3) Where a licence has been taken out as for a vehicle to be used solely for a certain purpose and the vehicle is at any time during the period for which the licence is in force used for some other purpose, the person so using the vehicle shall, if the rate of duty chargeable in respect of a licence for a vehicle used for that other purpose is higher than the rate chargeable in respect of the licence held by him, be liable to an excise penalty of an amount equal to three times the difference between the duty actually paid on the licence and the duty payable on a licence appropriate to a vehicle used for that other purpose or twenty pounds, whichever amount is the greater.

(4) Where a hackney carriage is a vehicle of the class mentioned in paragraph 1 or paragraph 2 of the Second Schedule to the Finance Act, 1920, it shall be charged with duty under paragraph 1 or paragraph 2, as the case may be, and not under paragraph 3 of that schedule.

(5) The expression "weight unladen" in the Second Schedule to the Finance Act, 1920, shall have the same meaning as in the Motor Car Acts, 1896 and 1903, as amended by this Act.

Provision as to licence duty in case of manufacturers or dealers in mechanically-propelled vehicles

9.—(1) If any person being a manufacturer of or dealer in vehicles makes, in the prescribed manner, an application in that behalf to the council of the county in which his business premises are situate, that he may be entitled, in lieu of taking out a licence for each vehicle kept by him at the appropriate rate of duty chargeable under the Second Schedule to the Finance Act, 1920, to take out a general licence in respect of all vehicles used by him the council may, subject to the prescribed conditions, issue to him such a licence on payment of duty at the yearly rate of ten pounds, or, in the case of a licence to be used only on vehicles chargeable with duty under paragraph 1 or paragraph 2 of the said schedule, at the yearly rate of thirty shillings:

Provided that—

(*a*) licences under this section at the yearly rate of ten pounds may be taken for one quarter of the year only beginning the first day of January, the twenty-fifth day of March, the first day of July, or the first day of October, and in the case of any licence so taken out the duty shall be thirty per cent. of the full annual duty; and

(*b*) the holder of any licence issued under this section shall not be entitled by virtue of that licence to use more than one vehicle at any one time, except in the case of a vehicle drawing a trailer and used for the prescribed purpose, or to use any vehicle for

any purpose other than such purposes as may be prescribed; and

(*c*) nothing in this section shall operate to prevent a person entitled to take out a general licence from holding two or more such licences.

(2) Provision may be made by regulations under this Act for assigning a general identification mark to a person holding any licence issued under this section.

(3) If any person is aggrieved by the refusal of a council to issue a general licence under this section, he may appeal to the Minister, and the Minister shall, on any such appeal, make such order in the matter as he thinks just, and the council shall comply with any order so made.

An order made by the Minister under this provision shall be final and not subject to appeal to any court, and shall, on the application of the Minister, be enforceable by writ of mandamus.

Power to modify or determine charges for use of vehicles on roads.

10. Where any persons are, whether by virtue of any Act or otherwise, liable to pay any sums, by way of mileage charges or other annual payments, in respect of the use of any road by their vehicles, the Minister may, on an application by those persons in that behalf, and after considering any objections made by any person interested, suspend, modify or determine the liability to make the payment, as he shall think fit.

Special provisions as to hackney carriages.

11.—(1) There shall, subject to the prescribed exceptions, be exhibited on every vehicle which is chargeable with duty as a hackney carriage, in conjunction with the mark required under this Act to be fixed on the vehicle indicating the registered number of the vehicle, a distinctive sign indicating that the vehicle is a hackney carriage and the number of persons which the vehicle seats, and regulations made by the Minister under this Act shall provide for the sign to be so exhibited.

The penalties imposed by this Act in relation to the identification mark to be fixed to a vehicle shall apply to the sign to be exhibited under this provision as they apply to the identification mark so to be fixed.

(2) Where a licence has been taken out in respect of any vehicle at the rate of duty appropriate to a hackney carriage seating not more than a certain number of persons, the person keeping the vehicle shall, if it is used on any occasion for the purpose of seating more persons than the number aforesaid, be liable to an excise penalty of an amount equal to three times the difference between the duty actually paid on the licence and the duty payable on a licence for a vehicle being a hackney carriage seating that greater number of persons.

(3) Where not less than twelve vehicles of a similar type, being hackney carriages, and belonging to one owner, are registered with a county council, and the council is satisfied that

one of those vehicles (hereinafter referred to as "the old vehicle") has been destroyed, or withdrawn permanently from use as a hackney carriage, the council shall, on issuing to that owner a licence in respect of another hackney carriage to be used for the same purpose as the old vehicle allow a rebate from the duty payable on that licence at the rate of one-quarter of the duty paid in respect of the licence for the old vehicle for every complete three months between the date when the old vehicle was destroyed or withdrawn, and the expiration of the licence for that vehicle, and, where any such rebate is so allowed, the licence for the old vehicle shall be forthwith cancelled.

Regulations.

12.—(1) The Minister may make regulations generally for the purpose of carrying this Act into effect, and in particular, without prejudice to the generality of the foregoing provision, may make regulations—

(*a*) with respect to the registration of vehicles; and

(*b*) requiring county councils to make the prescribed returns with respect to vehicles registered with them, and for making any particulars contained in the register available for use by the prescribed persons; and

(*c*) prescribing the size, shape and character of the identification marks or the signs to be fixed on any vehicle and the manner in which those marks or signs are to be displayed and rendered easily distinguishable, whether by night or by day; and

(*d*) requiring any person to whom any vehicle is sold or disposed of to furnish the prescribed particulars in the prescribed manner; and

(*e*) providing for the issue of registration books in respect of the registration of any vehicle, and for the surrender and production, and the inspection by the prescribed persons, of any book so issued, and for the issue of new registration books and new licences in the place of any such books or licences which may be lost or destroyed, and for the fee (not exceeding five shillings) to be paid on the issue of a new registration book or licence; and

(*f*) prescribing the form of, and the particulars to be included in, the register with respect to vehicles for which a general licence has been taken out by a manufacturer or dealer, and the identification marks to be carried by any such vehicle, and defining the purposes for which the holder of a general licence may use a vehicle on a road; and

(*g*) extending any provisions as to registration, and provisions incidental to any such provisions, to any vehicles in respect of which duty under section thirteen of the Finance Act, 1920, is not payable (including vehicles

belonging to the Crown), and for providing for the identification of any such vehicles; and

(*h*) prescribing any matter which is to be prescribed under this Act.

(2) Every regulation made under this Act shall be laid before each House of Parliament as soon as may be after it is made, and, if an address is presented to His Majesty within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(3) County councils shall comply with any regulations so made by the Minister under this Act.

(4) If any person acts in contravention of, or fails to comply with, any regulations made under this Act, he shall, for each offence, be liable on summary conviction to a penalty not exceeding twenty pounds.

Penalties.

13.—(1) If any person uses any vehicle for which a licence under the Finance Act, 1920, as amended by this Act, is not in force, or being the holder of a general licence or general licences issued under this Act uses at any one time a greater number of vehicles than he is authorised to use by virtue of that licence or those licences, he shall be liable to an excise penalty of twenty pounds, or an excise penalty equal to three times the amount of the duty payable in respect of the vehicle or vehicles, whichever is the greater.

Proceedings for a penalty under this subsection may be brought at any time within a period of twelve months from the date on which the offence was committed.

(2) If any person in connection with an application for a licence for a vehicle or a carriage makes a declaration which to his knowledge is false or in any material respect misleading, or if any person being required by virtue of this Act to furnish particulars in connection with a change of the registration of any vehicle furnishes any particulars which to his knowledge are false or in any material respect misleading, he shall be liable on summary conviction to a penalty not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding six months.

(3) If in any proceedings under this section any question arises as to the number of vehicles used or as to the character, weight or horse-power of any vehicle or as to the number of persons seated by a vehicle, or as to the purpose for which any vehicle has been used, the burden of proof in respect of the matter in question shall lie on the defendant.

(4) If any person forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any mark for identifying a vehicle or any licence or registration

book under this Act, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding six months.

(5) All penalties and forfeitures recovered under or in pursuance of this Act, whether by a county council or by any other person, shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this Act.

Local licensing fees to cease to be chargeable.

14.—(1) As from the first day of January, nineteen hundred and twenty-one, any fees or charges, by whatever name called, payable under any general or special Act to any county council, local or police authority in respect of the licensing of any vehicle (other than a tramcar) shall cease to be payable.

(2) Any person who at the commencement of this Act is the holder of any licence issued by any county council or local or police authority in respect of any vehicle (other than a tramcar), being a licence in respect of which a fee or charge exceeding five shillings has been paid, or to whom a general identification mark has been assigned under proviso (*b*) to subsection (4) of section two of the Motor Car Act, 1903, shall be entitled, on making an application in the prescribed manner to the prescribed county council, local or police authority, to obtain a repayment in respect of the fee or charge paid by him for the licence or mark at the rate of one-twelfth of the amount so paid in respect of every complete month for which the licence or mark continues in force after the thirty-first day of December, nineteen hundred and twenty, and any sums paid under this provision by a county council shall be treated for the purposes of this Act as expenses incurred by the council in the levying of the duties, and any sums so paid by a local or police authority shall be repaid to the authority out of the Road Fund.

(3) Where, upon application for a licence to ply for hire with an omnibus, the licensing authority either refuses to grant a licence or grants a licence subject to conditions, in either case the applicant shall have a right of appeal to the Minister of Transport from the decision of the licensing authority, and the Minister shall have power to make such order thereon as he thinks fit, and such order shall be binding upon the licensing authority.

An order made by the Minister under this subsection shall be final and not subject to appeal to any court, and shall, on the application of the Minister, be enforceable by writ of mandamus.

For the purpose of this subsection, the expression "omnibus" includes every omnibus, char-a-banc, waggonette, brake, stage coach, or other carriage plying for hire or used to carry passengers at separate fares.

Amendment of s. 28 of 41 & 42 Vict. c. 77.

15. Paragraph (3) of section twenty-eight of the Highways and Locomotives (Amendment) Act, 1878 (which prescribes the maximum weight of locomotives to be used on highways), shall

have effect as though such weight as may be prescribed were therein substituted for fourteen tons, and different weights may be prescribed with respect to different classes of locomotives.

Amendment of 24 & 25 Vict. c. 70. s. 4.

16. The proviso to section four of the Locomotive Act, 1861, in its application to Scotland is hereby repealed, and in lieu thereof it is enacted as follows :—

Provided that the regulation of weight herein mentioned shall not extend to any wagon carrying only one block, plate cable, roll, vessel of stone or metal, or other single article being of greater weight than sixteen tons, but the fellies, tires, or shoes of such wagon shall not be less than eight inches in breadth, and any damage arising from the user of any such wagon shall be deemed to be damage caused by excessive weight within the meaning of section fifty-seven of the Roads and Bridges (Scotland) Act, 1878. 41 & 42 Vict. c. 51.

Interpretation and application to Scotland.

17. In this Act, unless the context otherwise requires,—

The expression "county" includes a county borough, and the expression "county council" shall be construed accordingly;

The expression "the Minister" means the Minister of Transport;

The expression "prescribed" means prescribed by regulations;

The expression "use" means use on a public road;

The expression "police authority" includes the receiver for the metropolitan police district.

Application to Scotland.

18. In the application of this Act to Scotland—

(*a*) a reference to paragraph (3) of section three of the Locomotives Amendment (Scotland) Act, 1878, shall be substituted for the reference to paragraph (3) of section twenty-eight of the Highways and Locomotives (Amendment) Act, 1878; and

(*b*) except in this section, references to a county shall be deemed to include references to a royal, parliamentary, or police burgh containing within its boundaries, as ascertained, fixed, or determined for police purposes, a population according to the censuses for the time being last taken of or exceeding fifty thousand, and every other burgh shall be deemed to form part of the county within which it is situated, and the expression "county council" shall be construed accordingly; and

(*c*) section four of the Locomotives Act, 1898, with the exception of subsection (3) thereof, shall apply to Scotland with the substitution of arbitration by a single arbiter to be appointed, failing agreement, by the sheriff, for arbitration under the Arbitration Act, 1889, and county and town councils may 61 & 62 Vict. c. 29. 52 & 53 Vict. c. 49.

borrow for the purposes of the said section as so applied in like manner as they may borrow for the purposes of the Roads and Bridges (Scotland) Act, 1878.

Provisions as to default on the part of county councils in Ireland. 1 & 2 Geo. 5. c. 45.

19.—(1) This Act, in its application to Ireland, shall have effect with the following modification, namely, a reference to section two of the Public Roads (Ireland) Act, 1911, shall be substituted for the reference to section twenty-eight of the Highways and Locomotives (Amendment) Act, 1878.

(2) Section four of the Locomotives Act, 1898 (which relates to the erection and use of weighing machines), shall apply to Ireland with the following modifications, namely—

(*a*) a reference to county councils and urban district councils shall be substituted for the reference to road authorities;

(*b*) a reference to the enactments with respect to arbitrations in Ireland shall be substituted for the reference to the Arbitration Act, 1889; and

(*c*) a reference to the Public Health Ireland Acts, 1878 to 1919, shall be substituted for the reference to the Public Health Act, 1875.

38 & 39 Vict. c. 55.

(3) Provision may be made by Order in Council for the discharge by the Minister or otherwise of the functions under this Act and the Motor Car Acts, 1896 and 1903, of any county council in Ireland which, in the opinion of the Minister, neglects or refuses to perform any of those functions, and for carrying the provisions of this Act, and of any such order, or any other order under this Act, into effect as respects the area of such county council.

Short title, commencement, and repeal.

20.—(1) This Act may be cited as the Roads Act, 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one.

(3) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULES.

Section 4.

FIRST SCHEDULE.

AMENDMENTS OF DEVELOPMENT AND ROAD IMPROVEMENT FUNDS ACT, 1909.

Sections 4, 8, 9, 10, 11, 13, and 19, and Schedule.	References to the Minister shall be substituted for references to the Road Board.

Section 8	The following paragraph shall be substituted for paragraph (*a*) of subsection (1)— "(*a*) to make to any highway authority advances in respect of the construction of new roads or the maintenance or improvement of existing roads, or to make such advances in conjunction with a highway authority, to any company or person." In subsection (5) the definition of "roads" shall be extended so as to include road-ferries and footways.
Section 11	In subsection (1) for the words "the Treasury have approved a proposal by the Road Board" there shall be substituted the words "the Minister proposes." Subsection (2) shall cease to have effect. In subsection (6) the words from "and any receipts" to the end of the subsection shall be repealed.
Section 13	For the words "the road improvement grant" wherever those words occur there shall be substituted the words "the Road Fund."

SECOND SCHEDULE.

Section 7.

PROVISIONS AS TO APPLICATIONS AND INQUIRIES WITH RESPECT TO CLOSING OF HIGHWAYS.

(1) Every application by a county council that the driving of vehicles on any highway may be prohibited or restricted shall be made in the prescribed form, and shall state the grounds upon which the application is made.

(2) The Minister, on receiving any such application as aforesaid, shall forthwith take steps for the holding of an inquiry to consider the application, and shall, for that purpose, appoint a competent and impartial person to hold the inquiry and to report to him thereon.

(3) The Minister shall publish in the London, Edinburgh, or Dublin Gazette, as the case requires, and once at least in each of two consecutive weeks in some local newspaper circulating in the district in which the highway to which the application relates is situate, notice of the fact that an inquiry will be held to consider the application, and the notice shall contain sufficient particulars of the application, and shall contain a statement as to the time and place at which the inquiry will be held, and shall also state that all persons interested may attend and be heard at the inquiry.

(4) The inquiry shall be held in public and, subject as hereinbefore provided, all persons interested may appear at the inquiry either in person or by counsel, agent or solicitor:

Provided that no person shall be entitled to be heard at the inquiry unless he has, within one week from the last publication of the notice of the holding of the inquiry, sent a notice in writing to the Minister of his desire to be heard at the inquiry, and the person holding the inquiry may refuse to hear any person if he is satisfied

that the views of that person have been adequately stated on the inquiry by some other person.

(5) A witness on the inquiry may, if the person holding the inquiry thinks fit, be examined on oath, and the person holding the inquiry shall, for that purpose, have power to administer an oath.

(6) Subject as aforesaid, the inquiry and all proceedings incidental thereto shall be conducted in the prescribed manner.

Section 20.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title	Extent of Repeal.
59 & 60 Vict. c. 36.	The Locomotives on Highways Act, 1896.	Subsection (2) of section one.
61 & 62 Vict. c. 29.	The Locomotives Act, 1898.	Sections nine, ten, and eleven; in subsection (1) of section seventeen the definition of "agricultural locomotive"; and subsection (3) of section eighteen.
3 Edw. 7. c. 36.	The Motor Car Act, 1903.	Sections two and five; paragraph (*a*) of subsection (1) of section seven; in subsection (2) of that section the words "the entry of "particulars of the ownership of "a car on change of ownership, "such fee, not exceeding ten "shillings, as may be prescribed "by the regulations, and in "respect of"; and section eight.
9 Edw. 7. c. 47.	The Development and Road Improvement Funds Act, 1909.	Section seven; subsection (3) of section eight; subsection (2) of section eleven; and sections twelve and fourteen.

CHAPTER 73.

An Act to continue certain Expiring Laws.

[23rd December 1920.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects the Acts mentioned in Part I. of that schedule, on the thirty-first day of December, nineteen hundred and twenty, and, as respects the Acts mentioned in Parts II., III., IV., and V. of that schedule, on the twenty-third day of December, nineteen hundred and twenty,

the thirty-first day of July, nineteen hundred and twenty-one, the fifteenth day of August, nineteen hundred and twenty-one, and the nineteenth day of August, nineteen hundred and twenty-one respectively, and, as respects the Acts mentioned in Part VI. of that schedule, on the thirty-first day of March, nineteen hundred and twenty-one:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in Schedule.

1.—(1) The Acts mentioned in Parts I., II., III., IV., and V. of the Schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December, nineteen hundred and twenty-one, and shall then expire, unless further continued.

(2) The Acts mentioned in Part VI. of the Schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of March, nineteen hundred and twenty-two, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1920.

SCHEDULE.

PART I.

Section 1.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1)			
3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	——
(2)			
3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act	33 & 34 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act	45 & 46 Vict. c. 61.
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865.	The whole Act	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29. 1 & 2 Geo. 5. c. 45.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act	34 & 35 Vict. c. 61.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——
(16) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(17) 43 & 44 Vict. c. 42.	The Employers Liability Act, 1880.	The whole Act	6 Edw. 7. c. 58. s. 14.
(18) 46 & 47 Vict. c. 60.	The Labourers (Ireland) Act, 1883.	The whole Act	48 & 49 Vict. c. 77. 49 & 50 Vict. c. 59. 54 & 55 Vict. c. 48. 54 & 55 Vict. c. 71. 55 & 56 Vict. c. 7. 59 & 60 Vict. c. 53. 61 & 62 Vict. c. 37. 3 Edw. 7. c. 37. 6 Edw. 7. c. 37. 7 Edw. 7. c. 44. 9 Edw. 7. c. 42. 1 & 2 Geo. 5. c. 19. 4 & 5 Geo. 5. c. 32. 8 & 9 Geo. 5. c. 20. 9 & 10 Geo. 5. c. 55.
(19) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	——
(20) 52 & 53 Vict c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60. 2 Edw. 7. c. 42.
(21) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	——
(22) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Commissioners.	1 Edw. 7. c. 36. 2 & 3 Geo. 5. c. 19.
(23) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898.	The whole Act	7 Edw. 7. c. 31.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(24) 2 Edw. 7. c. 18	The Licensing (Ireland) Act, 1902.	The whole Act.	——
(25) 3 Edw. 7. c. 36	The Motor Car Act, 1903.	The whole Act	9 Edw. 7. c. 37.
(26) 4 Edw. 7. c. 24	The Wireless Telegraphy Act, 1904.	The whole Act.	——
(27) 5 Edw. 7. c. 18	The Unemployed Workmen Act, 1905.	The whole Act	9 Edw. 7. c. 7.
(28) 7 Edw. 7. c. 55	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, section two.	——
(29) 1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Section forty-two; and so far as it relates to the powers of the Insurance Commissioners to make orders affecting section forty-two, section seventy-eight.	3 & 4 Geo. 5. c. 37. 4 & 5 Geo. 5. c. 57. 4 & 5 Geo. 5. c. 81. 7 & 8 Geo. 5. c. 62. 10 & 11 Geo. 5. c. 10.
(30) 2 & 3 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——
(31) 3 & 4 Geo. 5. c. 26.	The Highlands and Islands (Medical Service) Grant Act, 1913.	As to the powers of the Highlands and Islands (Medical Service) Board, and of His Majesty in Council.	9 & 10 Geo. 5. c. 20.
(32) 4 Geo. 5. c. 3.	The Grey Seals Protection Act, 1914.	The whole Act.	——
(33) 5 & 6 Geo. 5. c. 4.	The Land Drainage Act, 1914.	As to the power of making Provisional Orders	
(34) 5 & 6 Geo. 5. c. 48.	The Fishery Harbours Act, 1915.	As to power of making Orders	——

PART II.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(35) 9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act, 1919.	Section one.	——

PART III.

(36) 9 & 10 Geo. 5. c. 35.	The Housing, Town Planning, &c., Act, 1919.	Section twenty-one.	——

PART IV.

(37) 9 & 10 Geo. 5. c. 45.	The Housing (Ireland) Act, 1919.	Section seventeen.	——

PART V.

(38) 9 & 10 Geo. 5. c. 60.	The Housing, Town Planning (Scotland) Act, 1919.	Section eighteen.	——

PART VI.

(39) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act	2 Edw. 7. c. 42. 7 Edw. 7. c. 13.
(40) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act	60 & 61 Vict. c. 53. 7 Edw. 7. c. 13. 1 & 2 Geo. 5. c. 49.

CHAPTER 74.

An Act to enable the Board of Trade to guarantee part of the expenses of a British Empire Exhibition.

[23rd December 1920.]

WHEREAS it is proposed to hold in London in the year nineteen hundred and twenty-three or such earlier date as may be possible a British Empire Exhibition (in this Act referred to as "the exhibition"):

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to guarantee expenses.

1. The Board of Trade may undertake, on such terms and conditions as they think fit and as the Treasury may approve, to guarantee, up to an amount not exceeding one hundred thousand pounds, any loss which may result from the holding of the exhibition, and any sums required for the fulfilment of such guarantee shall be paid out of moneys provided by Parliament:

Provided that it shall be made a condition of any such guarantee that the exhibition shall be conducted by an executive committee and a general manager approved by the Board, and that the executive committee shall furnish to the Board such information in relation to the exhibition at such time and in such manner as the Board may require.

Short title.

2. This Act may be cited as the British Empire Exhibition (Guarantee) Act, 1920.

CHAPTER 75.

An Act to amend the Official Secrets Act, 1911.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Unauthorised use of uniforms; falsification of reports, forgery,

1. If any person for the purpose of gaining admission, or of assisting any other person to gain admission, to a prohibited place, within the meaning of the Official Secrets Act, 1911 (hereinafter referred to as "the principal Act"), or for any other

purpose prejudicial to the safety or interests of the State within the meaning of the said Act— Impersonation, and false documents. 1 & 2 Geo. 5. c. 28.

(*a*) uses or wears, without lawful authority, any naval, military, air-force, police, or other official uniform, or any uniform so nearly resembling the same as to be calculated to deceive, or falsely represents himself to be a person who is or has been entitled to use or wear any such uniform; or

(*b*) orally, or in writing in any declaration or application, or in any document signed by hi or on his behalf, knowingly makes or connives at the making of any false statement or any omission; or

(*c*) forges, alters, or tampers with any passport or any naval, military, air-force, police, or official pass, permit, certificate, licence, or other document of a similar character (hereinafter in this section referred to as an official document), or uses or has in his possession any such forged, altered, or irregular official document; or

(*d*) personates, or falsely represents himself to be a person holding, or in the employment of a person holding office under His Majesty, or to be or not to be a person to whom an official document or secret official code word or pass word has been duly issued or communicated, or with intent to obtain an official document, secret official code word or pass word, whether for himself or any other person, knowingly makes any false statement; or

(*e*) uses, or has in his possession or under his control, without the authority of the Government Department or the authority concerned, any die, seal, or stamp of or belonging to, or used, made or provided by any Government Department, or by any diplomatic, naval, military, or air force authority appointed by or acting under the authority of His Majesty, or any die, seal or stamp so nearly resembling any such die, seal or stamp as to be calculated to deceive, or counterfeits any such die, seal or stamp, or uses or has in his possession, or under his control, any such counterfeited die, seal or stamp;

he shall be guilty of a misdemeanour.

(2) If any person—

(*a*) retains for any purpose prejudicial to the safety or interests of the State any official document, whether or not completed or issued for use, when he has no right to retain it, or when it is contrary to his duty to retain it, or fails to comply with any directions issued by any Government Department or any person authorised by such department with regard to the return or disposal thereof; or

(*b*) allows any other person to have possession of any official document issued for his use alone, or communicates any secret official code word or pass word so issued, or, without lawful authority or excuse, has in his possession any official document or secret official code word or pass word issued for the use of some person other than himself, or on obtaining possession of any official document by finding or otherwise, neglects or fails to restore it to the person or authority by whom or for whose use it was issued, or to a police constable; or

(*c*) without lawful authority or excuse, manufactures or sells, or has in his possession for sale any such die, seal or stamp as aforesaid;

he shall be guilty of a misdemeanour.

(3) In the case of any prosecution under this section involving the proof of a purpose prejudicial to the safety or interests of the State, subsection (2) of section one of the principal Act shall apply in like manner as it applies to prosecutions under that section.

Communications with foreign agents to be evidence of commission of certain offences.

2.—(1) In any proceedings against a person for an offence under section one of the principal Act, the fact that he has been in communication with, or attempted to communicate with, a foreign agent, whether within or without the United Kingdom, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy.

(2) For the purpose of this section, but without prejudice to the generality of the foregoing provision—

(*a*) A person shall, unless he proves the contrary, be deemed to have been in communication with a foreign agent if—

(i) He has, either within or without the United Kingdom, visited the address of a foreign agent or consorted or associated with a foreign agent; or

(ii) Either, within or without the United Kingdom, the name or address of, or any other information regarding a foreign agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person:

(*b*) The expression "foreign agent" includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without the United Kingdom, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either

within or without the United Kingdom, committed, or attempted to commit, such an act in the interests of a foreign power:

(*c*) Any address, whether within or without the United Kingdom, reasonably suspected of being an address used for the receipt of communications intended for a foreign agent, or any address at which a foreign agent resides, or to which he resorts for the purpose of giving or receiving communications, or at which he carries on any business, shall be deemed to be the address of a foreign agent, and communications addressed to such an address to be communications with a foreign agent.

Interfering with officers of the police or members of His Majesty's forces

3. No person in the vicinity of any prohibited place shall obstruct, knowingly mislead or otherwise interfere with or impede, the chief officer or a superintendent or other officer of police, or any member of His Majesty's forces engaged on guard, sentry, patrol, or other similar duty in relation to the prohibited place, and, if any person acts in contravention of, or fails to comply with, this provision, he shall be guilty of a misdemeanour.

Power to require the production of telegrams.

4.—(1) Where it appears to a Secretary of State that such a course is expedient in the public interest, he may, by warrant under his hand, require any person who owns or controls any telegraphic cable or wire, or any apparatus for wireless telegraphy, used for the sending or receipt of telegrams to or from any place out of the United Kingdom, to produce to him, or to any person named in the warrant, the originals and transcripts, either of all telegrams, or of telegrams of any specified class or description, or of telegrams sent from or addressed to any specified person or place, sent or received to or from any place out of the United Kingdom by means of any such cable, wire, or apparatus, and all other papers relating to any such telegram as aforesaid.

(2) Any person who, on being required to produce any such original or transcript or paper as aforesaid, refuses or neglects to do so shall be guilty of an offence under this Act, and shall, for each offence, be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

(3) In this section the expression "telegram" shall have the same meaning as in the Telegraph Act, 1869, and the expression "wireless telegraphy" shall have the same meaning as in the Wireless Telegraphy Act, 1904.

32 & 33 Vict. c. 73. 4 Edw. 7. c. 24.

Registration and regulation of persons carrying on the business of receiving postal packets.

5.—(1) Every person who carries on, whether alone or in conjunction with any other business, the business of receiving for reward letters, telegrams, or other postal packets for delivery or forwarding to the persons for whom they are intended, shall as soon as may be send to the chief officer of police for the

district, for registration by him, notice of the fact together with the address or addresses where the business is carried on, and the chief officer of police shall keep a register of the names and addresses of such persons, and shall, if required by any person who sends such a notice, furnish him on payment of a fee of one shilling with a certificate of registration, and every person so registered shall from time to time furnish to the chief officer of police notice of any change of address or new address at which the business is carried on, and such other information as may be necessary for maintaining the correctness of the particulars entered in the register.

(2) Every person who carries on such a business as aforesaid shall cause to be entered in a book kept for the purpose the following particulars—

(*a*) the name and address of every person for whom any postal packet is received, or who has requested that postal packets received may be delivered or forwarded to him;

(*b*) any instructions that may have been received as to the delivery or forwarding of postal packets;

(*c*) in the case of every postal packet received, the place from which the postal packet comes, and the date of posting (as shown by the post-mark) and the date of receipt, and the name and address of the sender if shown on the outside of the packet, and, in the case of a registered packet, the date and office of registration and the number of the registered packet;

(*d*) in the case of every postal packet delivered, the date of delivery and the name and address of the person to whom it is delivered;

(*e*) in the case of every postal packet forwarded, the name and address to which and the date on which it is forwarded;

and shall not deliver a letter to any person until that person has signed a receipt for the same in such book as aforesaid, nor, if that person is not the person to whom the postal packet is addressed, unless there is left with him instructions signed by the last-mentioned person as to the delivery thereof, and shall not forward any postal packet to another address unless there is left with him written instructions to that effect signed by the addressee.

(3) The books so kept and all postal packets received by a person carrying on any such business, and any instruction as to the delivery or forwarding of postal packets received by any such person, shall be kept at all reasonable times open to inspection by any police constable.

(4) If any person contravenes or fails to comply with any of the provisions of this section, or furnishes any false information or makes any false entry, he shall be guilty of an

offence under this Act, and shall, for each offence, be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding one month, or to a fine not exceeding ten pounds, or to both such imprisonment and fine.

(5) Nothing in this section shall apply to postal packets addressed to any office where any newspaper or periodical is published, being postal packets in reply to advertisements appearing in such newspaper or periodical.

(6) Nothing in this section shall be construed as rendering legal anything which would be in contravention of the exclusive privilege of the Postmaster General under the Post Office Acts, 1908 to 1920, or the Telegraph Acts, 1863 to 1920.

Duty of giving information as to commission of offences.

6. It shall be the duty of every person to give on demand to a chief officer of police, or to a superintendent or other officer of police not below the rank of inspector appointed by a chief officer for the purpose, or to any member of His Majesty's forces engaged on guard, sentry, patrol, or other similar duty, any information in his power relating to an offence or suspected offence under the principal Act or this Act, and, if so required, and upon tender of his reasonable expenses, to attend at such reasonable time and place as may be specified for the purpose of furnishing such information, and, if any person fails to give any such information or to attend as aforesaid, he shall be guilty of a misdemeanour.

Attempts, incitements, &c.

7. Any person who attempts to commit any offence under the principal Act or this Act, or solicits or incites or endeavours to persuade another person to commit an offence, or aids or abets and does any act preparatory to the commission of an offence under the principal Act or this Act, shall be guilty of a felony or a misdemeanour or a summary offence according as the offence in question is a felony, a misdemeanour or a summary offence, and on conviction shall be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence.

Provisions as to trial and punishment of offences.

8.—(1) Any person who is guilty of a felony under the principal Act or this Act shall be liable to penal servitude for a term of not less than three years and not exceeding fourteen years.

(2) Any person who is guilty of a misdemeanour under the principal Act or this Act shall be liable on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or, on conviction under the Summary Jurisdiction Acts, to imprisonment, with or without hard labour, for a term not exceeding three months or to a fine not exceeding fifty pounds, or both such imprisonment and fine:

Provided that no misdemeanour under the principal Act or this Act shall be dealt with summarily except with the consent of the Attorney General.

(3) For the purposes of the trial of a person for an offence under the principal Act or this Act, the offence shall be deemed to have been committed either at the place in which the same actually was committed, or at any place in the United Kingdom in which the offender may be found.

(4) In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings if, in the course of proceedings before a court against any person for an offence under the principal Act or this Act or the proceedings on appeal, or in the course of the trial of a person for felony or misdemeanour under the principal Act or this Act, application is made by the prosecution, on the ground that the publication of any evidence to be given or of any statement to be made in the course of the proceedings would be prejudicial to the national safety, that all or any portion of the public shall be excluded during any part of the hearing, the court may make an order to that effect, but the passing of sentence shall in any case take place in public.

(5) Where the person guilty of an offence under the principal Act or this Act is a company or corporation, every director and officer of the company or corporation shall be guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent.

Amendments of principal Act in relation to munitions of war.

9. The principal Act shall have effect as though—

(1) After paragraph (*a*) of subsection (1) of section two the following paragraph were inserted:

"(*aa*) Uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the State;"

and after the said subsection (1) the following subsection were inserted:

"(1A) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to munitions of war, communicates it directly or indirectly to any foreign power, or in any other manner prejudicial to the safety or interests of the State, that person shall be guilty of a misdemeanour;" and

(2) In section twelve, after the definition of "sketch," the following definition were inserted:

"The expression 'munitions of war' includes the whole or any part of any ship, submarine, aircraft, tank or similar engine, arms and ammunition, torpedo, or mine, intended or adapted for use in war, and any other article, material, or device, whether actual or proposed, intended for such use."

10. The amendments specified in the second column of the First Schedule to this Act (which relate to minor details) shall be made in the provisions of the principal Act specified in the first column of that schedule. Minor amendments of principal Act.

11.—(1) This Act may be cited as the Official Secrets Act, 1920, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited together as the Official Secrets Acts, 1911 and 1920. Short title, construction, and repeal.

Provided that—

(*a*) this Act shall not apply to any of the following Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia (which for this purpose shall be deemed to include Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, Newfoundland, and India; and

(*b*) nothing in the principal Act shall be construed as preventing an offence under this Act which is to be tried summarily being tried in Scotland by the sheriff.

(2) The provisions of the principal Act mentioned in the Second Schedule to this Act are hereby repealed.

(3) For the purposes of this Act, the expression "chief officer of police,"—

(*a*) with respect to any place in England other than the city of London, has the meaning assigned to it by the Police Act, 1890; 53 & 54 Vict. c. 45.

(*b*) with respect to the city of London, means the Commissioner of the City Police;

(*c*) with respect to Scotland, has the meaning assigned to it by the Police (Scotland) Act, 1890; and 53 & 54 Vict. c. 67.

(*d*) with respect to Ireland, means, in the police district of Dublin metropolis, either of the Commissioners of Police for that district, and elsewhere the district inspector of the Royal Irish Constabulary.

SCHEDULES.

FIRST SCHEDULE. Section 10.

MINOR AMENDMENTS OF PRINCIPAL ACT.

Enactment.	Nature of Amendment.
s. 1 (1) (*a*)	After the word "approaches" there shall be inserted the words "inspects, passes over."
s. 1 (1) (*c*)	After the word "obtains" there shall be inserted the words "collects, records, or publishes," and after the words "any other person" there shall be inserted the words "any secret official code word, or pass word, or."

Enactment.	Nature of Amendment.
s. 1 (2)	After the words "in such a place" there shall be inserted the words "or any secret official code word or pass word." After the word "obtained," in both places where it occurs, there shall be inserted the words "collected, recorded, published."
s. 2 (1)	After the words "possession or control" there shall be inserted the words "any secret official code word, or pass word, or." After the words "which he has obtained" there shall be inserted the words "or to which he has had access." After the words "communicates the" there shall be inserted the words "code word, pass word." After the words "his duty to retain it" there shall be inserted the words "or fails to comply with all directions "issued by lawful authority with regard to the return or "disposal thereof." After paragraph (*b*) there shall be inserted the following paragraph :— "or (*c*) Fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document, secret official code or pass word or information."
s. 2 (2)	Before the word "sketch" where that word first occurs, there shall be inserted the words "secret official code word, or pass word, or." Before the word "sketch" in other places where it occurs, there shall be inserted the words "code word, pass word."
s. 3	For paragraph (*a*) the following paragraph shall be substituted :— "Any work of defence, arsenal, naval or air force establishment or station, factory, dockyard, mine, mine-field, camp, ship, or aircraft belonging to or occupied by or on behalf of His Majesty, or any telegraph, telephone, wireless or signal station, or office so belonging or occupied, and any place belonging to or occupied by or on behalf of His Majesty and used for the purpose of building, repairing, making, or storing any munitions of war, or any sketches, plans, models, or documents relating thereto, or for the purpose of getting any metals, oil, or minerals of use in time of war." In paragraphs (*b*) and (*d*) for the words "ship, arms, or other materials or instruments of use in time of war," in both places where they occur, there shall be substituted the words "munitions of war," and for the word "plans," in both places where it occurs, there shall be substituted the words "sketches, models, plans." In paragraph (*b*) after the word "repaired" there shall be inserted the word "gotten." In paragraph (*c*) after the words "any place belonging to" there shall be inserted the words "or used for the purposes of." In paragraphs (*c*) and (*d*) for the words "by a Secretary of State" in both places where those words occur, there shall be substituted the words "by order of a Secretary of State."

Enactment.	Nature of Amendment.
s. 7 - -	For the words "wilfully refuses" there shall be substituted the words "wilfully omits or refuses."
s. 12 - -	After the words "like or superior rank" there shall be inserted the words "and any person upon whom the "powers of a superintendent of police are for the purpose "of this Act conferred by a Secretary of State."

SECOND SCHEDULE.

Section 11.

PROVISIONS OF PRINCIPAL ACT REPEALED.

In subsection (1) of section one the words "and shall be liable "to penal servitude for any term not less than three years and not "exceeding seven years."

Subsection (3) of section two.

Section four.

In section seven the words "and liable to imprisonment with or "without hard labour for a term not exceeding one year, or to a fine, "or to both imprisonment and a fine."

CHAPTER 76.

An Act to amend the Corn Production Act, 1917, and the Enactments relating to Agricultural Holdings.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

AMENDMENT OF THE CORN PRODUCTION ACT, 1917.

Continuance of Corn Production Act, 1917. 7 & 8 Geo. 5. c. 46.

1.—(1) Subject as hereinafter provided, the provisions of the Act of 1917 shall continue in force until Parliament otherwise determines:

Provided that it shall be lawful for His Majesty, on an Address presented to him by both Houses of Parliament praying that the Act of 1917 shall cease to be in force, by Order in Council to declare that that Act shall cease to be in force on the

expiration of the fourth year subsequent to the year in which the Order is made.

(2) In the event of an Order in Council being made under this section, the expiration of the provisions of the Act of 1917 by virtue of the Order shall not affect the right to any payments under Part I. of that Act in respect of the wheat and oats of the year on the termination of which those provisions expire or of any previous year, or any rights, privileges, obligations or liabilities acquired, accrued, or incurred under those provisions before the date on which those provisions expire, or any penalty, forfeiture, or punishment incurred in respect of any offence committed under those provisions before that date, or in respect of any statement or representation made in connection with a claim under those provisions, whether the statement, representation, or claim was made before or after that date.

Amendment as to minimum price and average price

2.—(1) The minimum prices for the wheat and oats of the year nineteen hundred and twenty-one and any subsequent year shall be such prices for a statutory quarter as correspond to the following minimum prices for the wheat and oats respectively of the year nineteen hundred and nineteen (hereinafter referred to as "the standard year"):—

Wheat	-	68*s.* per customary quarter of	504	pounds.
Oats	-	46*s.* " "	336	"

and the corresponding minimum prices shall be fixed in respect of each year in accordance with the following provisions:—

(*a*) The Commissioners to be appointed under this Part of this Act shall, as soon as possible after the completion of the harvest in the year nineteen hundred and twenty-one and each subsequent year, ascertain, after consideration of any information furnished by the Minister, the Board of Agriculture for Scotland, and the Department of Agriculture and Technical Instruction for Ireland, the percentage by which the cost of production of the wheat and oats respectively of that year is greater or less than the cost of production of the wheat and oats respectively of the standard year:

(*b*) In ascertaining the variation in the cost of production no account shall be taken of any variation of rent, except any variation that is attributable to a variation in the cost of maintenance:

(*c*) The corresponding minimum prices for the wheat and oats respectively of any year shall be such sums as are certified by the Commissioners to bear to the minimum prices for the wheat and oats respectively of the standard year the same proportion as the cost of production of the wheat and oats respectively of

the year for which the prices are to be fixed bears to the cost of production of the wheat and oats respectively of the standard year.

(2) Any fraction of a penny in the average price or minimum price per statutory quarter shall be disregarded.

(3) The foregoing provisions of this section shall have effect in substitution for the provisions of subsection (1) of section two of the Act of 1917.

(4) The expresssion "statutory quarter" shall be substituted for the expression "quarter" wherever that expression occurs in the Act of 1917.

Appointment, remuneration, and powers of Commissioners.

3.—(1) For the purposes of this Part of this Act, there shall be three Commissioners, one of whom shall be appointed by the Minister, and the Board of Agriculture for Scotland jointly, one by the Treasury and one by the Board of Trade.

(2) There shall be paid to the Commissioners such remuneration as the Treasury may determine, and any such remuneration and the expenses of the Commissioners, up to an amount sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

(3) The Commissioners may, subject to any directions given by the Treasury, pay to any person requested by them to furnish particulars with respect to the subject-matter of their inquiry or to attend before them such reasonable expenses as such person shall incur in respect thereof.

(4) The Commissioners shall not, except with the consent of the person concerned, include in any report or publication made or authorised by them any information obtained by them in the course of an inquiry made by them under this section as to the business carried on by any person which is not available otherwise than through evidence given to them during the inquiry, nor shall any Commissioner or any person concerned in the inquiry, except with such consent as aforesaid, disclose any such information.

Power to enforce proper cultivation.

4.—(1) The Minister, if in any case he is of opinion after consultation with the agricultural committee (if any) for the area in which the land is situate—

(*a*) that any arable or grass land not being a park, garden, or pleasure ground or land adjoining a mansion house or garden attached thereto and required for their protection or amenity or woodland or land cultivated for osiers, is not being cultivated according to the rules of good husbandry; or

(*b*) that the production of food on any such land as aforesaid can, in the national interest and without injuriously affecting the persons interested in the land or altering the general character of the holding, be maintained or increased by the occupier by means of an improvement in the existing method of cultivation; or

(*c*) that the occupier of such land as aforesaid has unreasonably neglected to execute thereon the necessary works of maintenance being, in the case of land occupied by a tenant, works which he is liable to execute under the conditions of his tenancy or rendered necessary by his act or default; or

(*d*) that the owner of such land as aforesaid in the occupation of a tenant has unreasonably neglected to execute thereon the necessary works of maintenance, not being works to which the preceding paragraph applies;

may serve notice, in the case of neglect to execute the necessary works of maintenance, on the tenant or owner, as the case may be, requiring him to execute the necessary works specified in the notice within such time as may be so specified, and in any other case on the occupier of the land requiring him to cultivate the land in accordance with such directions as the Minister may give for securing that the cultivation shall be in accordance with the rules of good husbandry or for securing the necessary improvement in the existing method of cultivation, so however as not to interfere with the discretion of the occupier as to the crops to be grown, and the Minister may, in the same or any subsequent notice so served, provide for securing to the landlord such payments or other benefits (if any) as the Minister thinks just on account of any profit or benefit derived or expected to be derived by the tenant by reason of the execution by the owner of any works of maintenance, and any such provision of the notice shall have effect as if it was contained in the contract of tenancy:

Provided that, if any person on whom any notice is served under this section is aggrieved by the notice, he may, within the prescribed time, require the question whether the land has been cultivated according to the rules of good husbandry, or whether the production of food on the land can in the national interest be maintained or increased by the occupier by means of the required improvement in the existing method of cultivation, or whether such improvement will injuriously affect the persons interested in the land, or alter the general character of the holding, or whether the works required to be executed are necessary works of maintenance, or whether the time specified in the notice for the execution of such works is reasonable, to be referred to arbitration in accordance with Part IV. of the Act of 1917, and, where any question is so referred to arbitration, no action shall be taken for enforcing the directions given by the Minister until the determination of the reference or except in accordance with the terms of the award, and, where the person on whom any notice is served is a tenant, the landlord shall have the same right as the tenant of requiring any question to be referred to arbitration.

(2) Where any notice is served on a tenant, a copy of the notice shall, at the same time, be served on the landlord.

(3) No action shall be taken by the Minister or by the agricultural committee (if any) under subsection (1) of this section unless a full report in writing signed on behalf of the Minister or of the committee, setting out in detail the matters complained of and the improvements or works required, has been served upon the owner and occupier.

(4) Where a notice has been served under this section on the owner or occupier of any land requiring him within a time specified in the notice to execute some work and that person unreasonably fails to comply with the requirements of the notice, he shall be liable, on summary conviction in respect of each offence, to a fine not exceeding twenty pounds and to a further fine not exceeding twenty shillings for every day during which the default continues after conviction :

Provided that—

(*a*) proceedings for an offence under this subsection shall not be instituted except by the Minister; and

(*b*) the Minister shall be entitled to execute any work specified in the notice, and to recover summarily as a civil debt from the person in default the reasonable cost of executing such work in a proper and workmanlike manner, and the right to institute any such proceedings shall not be prejudiced by the fact that the Minister has executed the work specified in the notice.

(5) Where a notice has been served on the owner of any land in the occupation of a tenant requiring him within a time specified in the notice to execute necessary works of maintenance and the owner fails to comply with the requirements of the notice, the Minister may authorise the tenant to execute the works in a proper and workmanlike manner, and a tenant so authorised shall be entitled to execute the works accordingly, and at any time after the works have been executed to recover from the owner the costs reasonably incurred by him in so doing, in the same manner in all respects as if those costs were compensation awarded in respect of an improvement under the Act of 1908.

(6) A notice under this section shall not require any work to be executed within a period of less than one month from the date of the notice, unless in the opinion of the Minister it is necessary that the work should be executed within some shorter period specified in the notice.

(7) Where the Minister is of opinion, after consultation with the agricultural committee, that the owner of any agricultural estate situate wholly or partly in the area of the committee, whether the estate or any part thereof is or is not in the occupation of tenants, grossly mismanages the estate to such an extent as to prejudice materially the production of food thereon or the welfare of those who are engaged in the cultivation of the estate, the Minister may, if he thinks it necessary or desirable

so to do in the national interest, and after holding such public inquiry as he thinks proper and after taking into consideration any representations made to him by the owner, by order appoint such person as he thinks fit to act as receiver and manager of the estate or any part thereof:

Provided that—

(*a*) an order made under this subsection shall not, except where the person appointed by the order to act as receiver and manager of the estate is appointed to act in the place of a person previously appointed under this subsection, take effect until a period of six months has elapsed after the date on which notice of the order having been made was given to the owner of the estate, and the owner may, at any time during the said period, appeal against the order to the High Court in accordance with rules of court, and, where any such appeal is made, the order shall not take effect pending the determination of the appeal; and

(*b*) an order made under this subsection shall not, except with the consent of the owner, extend to a mansion house, or the garden or grounds attached thereto, or to any land which at the date of the order forms part of any park attached to and usually occupied with the mansion house, and required for the amenity or convenience of the mansion house, or to any land or buildings which are not used, or intended to be used, for agricultural purposes; and

(*c*) an order made under this subsection shall not operate to deprive any person, except with his consent, of any sporting rights over the estate which do not interfere with the production of food on the estate; and

(*d*) any person appointed to act as receiver and manager of any estate under this section shall render a yearly report and statement of accounts to the owner or his agent and to the Minister; and

(*e*) the powers conferred by this subsection shall be in addition to and not in derogation of any other powers conferred on the Minister under this section.

The Minister may, by an order made under this provision, apply for the purposes of the order, with such modifications as he thinks fit, any of the provisions of section twenty-four of the Conveyancing and Law of Property Act, 1881, which relates to the powers, remuneration, and duties of receivers appointed by mortgagees, and authorise the receiver and manager to exercise such other powers vested in the owner of the estate as

44 & 45 Vict. c. 41.

may be specified in the order and may be reasonably necessary for the proper discharge by him of his duties as receiver and manager':

Provided that the receiver and manager shall not have power to sell or create any charge upon the estate or any part thereof or to cut or sell timber or underwood thereon, except with the consent of the owner or with the approval of the High Court obtained upon an application made for the purpose in accordance with rules of court.

The owner of any estate in respect of which an order has been made under this subsection may, at any time after the expiration of three years from the date of the order, or after any change in the ownership of the estate, apply to the Minister to have the order appointing the receiver and manager revoked, and, if on any such application the Minister refuses to revoke the order, the owner may appeal against the refusal to the High Court, in accordance with rules of court.

The Minister shall, on the application of a purchaser of any land subject to the provisions of an order made under this subsection, revoke the order so far as it affects that land.

(8) If within one month after the Minister has, in pursuance of this section, appointed a receiver and manager in respect of any land the owner of the land so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches, and cultivation of the land shall be made within three months after the date of requisition by a person to be appointed, in default of agreement, by the President of the Surveyors' Institution; and in default of agreement the cost of making such record shall be borne by the Minister and the owner in equal portions.

(9) For the purposes of this section, the expression "necessary works of maintenance" means such of the following works as are necessary for the proper cultivation and working of the land on which they are to be executed and are capable of being executed without prohibitive or unreasonable expense (that is to say):—

(*a*) The maintenance and clearing of drains, embankments, and ditches;

(*b*) The maintenance and proper repair of fences, stone walls, gates, and hedges;

(*c*) The execution of repairs to buildings:

Provided that a notice under subsection (1) of this section requiring any person to maintain or clear any drains, embankments, or ditches shall not operate so as to impose on that person any obligation in that behalf if and so far as the execution of the works required is rendered impossible by reason of the subsidence of any land or the blocking of outfalls which are not under the control of that person.

(10) Where the Minister is satisfied that there are injurious weeds to which this subsection applies growing upon any land,

he may serve upon the occupier of the land a notice in writing requiring him to cut down or destroy the weeds in the manner and within the time specified in the notice, and, where the occupier unreasonably fails to comply with the requirements of the notice, the provisions of subsection (4) of this section shall have effect.

The expression "occupier" in this subsection means, in the case of any public road, the authority by whom the road is being maintained, and, in the case of unoccupied land, the person entitled to the occupation thereof.

Regulations may be made under this Act for prescribing the injurious weeds to which this subsection is to apply.

(11) The foregoing provisions of this section shall have effect in substitution for section nine of the Act of 1917.

(12) In this section the expression "owner" includes a person entitled for his life or other limited estate.

Arbitrations under the Corn Production Act, 1917.

5.—(1) If in any arbitration under Part IV. of the Act of 1917 the arbitrator states a case for the opinion of the county court on any question of law, the opinion of the court on any question so stated shall be final unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the Court of Appeal, from whose decision no appeal shall lie, except with leave of that Court.

52 & 53 Vict. c. 49.

(2) The Arbitration Act, 1889, shall not apply to any arbitration under Part IV. of the Act of 1917.

Establishment of wages committees in Wales.

6. Subsection (1) of section five of the Act of 1917 shall not apply to Wales, and in lieu thereof the provisions contained in the Second Schedule of the Act of 1917 shall, subject as hereinafter provided, apply with respect to Wales as they apply with respect to Scotland, with the substitution of the Minister of Agriculture and Fisheries for the Board of Agriculture for Scotland:

Provided that—

(1) The provisions of the said schedule with respect to combinations of districts, and paragraph (4) of the said schedule shall not apply, and there shall be constituted in accordance with a scheme to be framed by the Minister a central agricultural wages committee for Wales (in this section referred to as "the central committee") consisting of a chairman appointed by the Minister, and of two representatives of each district wages committee (one of whom shall represent employers, and the other of whom shall represent workmen) to be elected by the district committee, and of two women to be appointed by the Minister; and

(2) The Minister shall appoint a person to act as secretary to the central committee; and

(3) The powers of the Agricultural Wages Board established under the Act of 1917 shall continue to be exercisable until such time as the central committee is duly constituted under this section; and

(4) Any rate of wages fixed, or order made by the Agricultural Wages Board shall continue in force in Wales unless and until it is varied or revoked by the central committee, and any permit granted by the said Board to a workman under subsection (3) of section five of the Act of 1917 shall, in relation to the employment of that workman in Wales, have effect as if it were granted by the central committee.

Service of notices under Part IV. of Corn Production Act, 1917.

7. Every notice required to be served or given by the Minister under Part IV. of the Act of 1917, on or to the owner or occupier of any land or any landlord may either be served personally on that person or sent by post to or left at his usual place of abode in the United Kingdom, and in case any person on or to whom any such notice is to be served or given is absent from the United Kingdom and his usual place of abode in the United Kingdom cannot after diligent enquiry be found the notice may be served by sending it by post to or leaving it with any agent ordinarily receiving the rents of the land on behalf of that person or by sending a copy thereof by post to or leaving it with the occupier of the land to which the notice relates for transmission to the owner or landlord, or, if there is no such occupier, by affixing a copy thereof on some conspicuous part of that land.

Annual accounts to be furnished by agricultural committees.

8. It shall be the duty of each agricultural committee referred to in this Act to furnish annually to the Minister full accounts showing the expenditure which has been made by such committee in the carrying out of the provisions of this Part of this Act, and the Minister shall submit to Parliament the returns made by agricultural committees under this section or a sufficient abstract thereof.

Commencement of Part IV. of Corn Production Act, 1917. 8 & 9 Geo. 5. c. 36.

9. Part IV. of the Act of 1917 shall, if not in operation at the date of the commencement of this Act, come into operation on that date, and the powers continued in operation by subsection (3) of section eleven of the Act of 1917 as amended by the Corn Production (Amendment) Act, 1918, shall, if they have not previously ceased, cease on that date except in relation to any land of which the Minister is on that date in possession by himself or any person deriving title from him, or any land to which on that date subsection (2) of section thirty of the Land Settlement (Facilities) Act, 1919, applies. 9 & 10 Geo. c. 59.

PART II.

AMENDMENT OF AGRICULTURAL HOLDINGS ACTS.

Compensation for disturbance.

10.—(1) Where the tenancy of a holding terminates after the commencement of this Act by reason of a notice to quit given, after the twentieth day of May, nineteen hundred and twenty, by the landlord, and in consequence of such notice the tenant quits the holding, then, unless the tenant—

(*a*) was not at the date of the notice cultivating the holding according to the rules of good husbandry; or

(*b*) had, at the date of the notice, failed to comply within a reasonable time with any notice in writing by the landlord served on him requiring him to pay any rent due in respect of the holding or to remedy any breach being a breach which was capable of being remedied of any term or condition of the tenancy consistent with good husbandry; or

(*c*) had, at the date of the notice, materially prejudiced the interests of the landlord by committing a breach which was not capable of being remedied of any term or condition of the tenancy consistent with good husbandry; or

(*d*) was at the date of the notice a person who had become bankrupt or compounded with his creditors; or

(*e*) has, after the commencement of this Act, refused, or within a reasonable time failed, to agree to a demand made to him in writing by the landlord for arbitration as to the rent to be paid for the holding as from the next ensuing date at which the tenancy could have been terminated by notice to quit given by the landlord at the date of the said demand; or

(*f*) had, at the date of the notice, unreasonably refused, or within a reasonable time failed, to comply with a demand made to him in writing by the landlord requiring him to execute at the expense of the landlord an agreement setting out the existing terms of the tenancy;

and, in the case of a notice to quit given after the commencement of this Act, unless the notice to quit states that it is given for one or more of the reasons aforesaid, compensation for the disturbance shall be payable by the landlord to the tenant in accordance with the provisions of this section:

Provided that compensation shall not be payable under this section in any case where the landlord has made to the tenant an offer in writing to withdraw the notice to quit and the tenant has unreasonably refused or failed to accept the offer.

(2) The landlord of a holding may at any time apply to the agricultural committee for the area in which the holding is situate for a certificate that the tenant is not cultivating the

holding according to the rules of good husbandry, and, on any such application being made, the committee, after giving to the landlord and the tenant or their respective representatives an opportunity of being heard, shall, as they think proper, either grant or refuse the certificate within one month after the date of the application.

The landlord or tenant may, within seven days after the notification to him of the refusal or grant by the committee of a certificate, require the question as to whether the holding is being cultivated according to the rules of good husbandry to be referred to an arbitrator who may grant a certificate for the purpose of this subsection or revoke the certificate granted by the committee, and the award of the arbitrator shall be given within twenty-eight days of the date on which the matter is referred to him.

Subject to any such appeal, a certificate granted under this subsection shall be conclusive evidence that the holding is not being cultivated according to the rules of good husbandry.

In the case of a holding situate in a county borough for which an agricultural committee has not been appointed this subsection shall have effect with the substitution of the Minister for an agricultural committee.

(3) Where, after the commencement of this Act, the landlord of a holding refuses, or within a reasonable time fails to agree to, a demand made to him in writing by the tenant for arbitration as to the rent to be paid for the holding as from the next ensuing date at which the tenancy could have been terminated by notice to quit given by the tenant at the date of the said demand, and by reason of the refusal or failure the tenant exercises his power of terminating the tenancy by a notice stating that it is given for that reason, the tenant shall be entitled to compensation in the same manner as if the tenancy had been terminated by notice to quit given by the landlord. Provided that such compensation shall not be payable if the circumstances are such that a notice to quit could have been given by the landlord for any of the reasons mentioned in paragraphs (*a*), (*b*), or (*c*) of subsection (1) of this section.

(4) The provisions of this section relating to demands for arbitration as to the rent to be paid for a holding shall not apply where the demand, if made later than six months after the commencement of this Act, is so made that the increase or reduction of the rent would take effect at some time before the expiration of two years from the commencement of the tenancy of the holding or from the date on which a previous increase or reduction of the rent took effect.

(5) An arbitrator, in determining for the purposes of this section what rent is properly payable in respect of a holding, shall not take into account any increase in the rental value which is due to improvements which have been executed thereon so far as they were executed wholly or partly by and at the

expense of the tenant without any equivalent allowance or benefit made or given by the landlord in consideration of their execution and have not been executed by him under an obligation imposed by the terms of his contract of tenancy, or fix the rent at a higher amount than would have been properly payable if those improvements had not been so executed, and shall not fix the rent at a lower amount by reason of any dilapidation or deterioration of land or buildings made or permitted by the tenant.

(6) The compensation payable under this section shall be a sum representing such loss or expense directly attributable to the quitting of the holding as the tenant may unavoidably incur upon or in connection with the sale or removal of his household goods, implements of husbandry, fixtures, farm produce or farm stock on or used in connection with the holding, and shall include any expenses reasonably incurred by him in the preparation of his claim for compensation (not being costs of an arbitration to determine the amount of the compensation), but for the avoidance of disputes such sum shall, for the purposes of this Act, be computed at an amount equal to one year's rent of the holding, unless it is proved that the loss and expenses so incurred exceed an amount equal to one year's rent of the holding, in which case the sum recoverable shall be such as represents the whole loss and expenses so incurred up to a maximum amount equal to two years' rent of the holding.

(7) Compensation shall not be payable under this section—

(*a*) in respect of the sale of any goods, implements, fixtures, produce or stock unless the tenant has before the sale given the landlord a reasonable opportunity of making a valuation thereof; or

(*b*) unless the tenant has, not less than one month before the termination of the tenancy, given notice in writing to the landlord of his intention to make a claim for compensation under this section; or

(*c*) where the tenant with whom the contract of tenancy was made has died within three months before the date of the notice to quit; or

(*d*) if in a case in which the tenant under section twenty-three of the Act of 1908 accepts a notice to quit part of his holding as a notice to quit the entire holding, the part of the holding affected by the notice given by the landlord, together with any other part of the holding affected by any previous notice given under that section by the landlord to the tenant, is less than one-fourth part of the original holding, or the holding as proposed to be diminished is reasonably capable of being cultivated as a separate holding, except compensation in respect of the part of the holding to which the notice to quit related; or

(e) where the holding was let to the tenant by a corporation carrying on a railway, dock, canal, water, or other undertaking, or by a government department or a local authority, and possession of the holding is required by the corporation, department, or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department, or authority, or appropriated under any statutory provision; or

(f) in the case of a permanent pasture which the landlord has been in the habit of letting annually for seasonal grazing, and which has since the fourth day of August nineteen hundred and fourteen and before the commencement of this Act been let to a tenant for a definite and limited period for cultivation as arable land, on the condition that the tenant shall, along with the last or waygoing crop, sow permanent grass seeds; or

(g) where a written contract of tenancy has been entered into (whether before or after the commencement of this Act) for the letting by the landlord to the tenant of a holding, which at the time of the creation of the tenancy had then been for a period of not less than twelve months in the occupation of the landlord, upon the express terms that if the landlord desires to resume that occupation before the expiration of a specified term not exceeding seven years the landlord should be entitled to give notice to quit without becoming liable to pay to the tenant any compensation for disturbance, and the landlord desires to resume occupation within the specified period, and such notice to quit has been given accordingly.

(8) In any case where a tenant holds two or more holdings, whether from the same landlord or different landlords, and receives notice to quit one or more but not all of the holdings, the compensation for disturbance in respect of the holding or holdings shall be reduced by such amount as is shown to the satisfaction of the arbitrator to represent the reduction (if any) of the loss attributable to the notice to quit by reason of the continuance in possession by the tenant of the other holding or holdings.

(9) The landlord shall, on an application made in writing after the commencement of this Act by the tenant of a holding to whom a notice to quit has been given which does not state the reasons for which it is given, furnish to the tenant within twenty-eight days after the receipt of the application a statement in writing of the reasons for the giving of the notice, and, if he fails unreasonably so to do, compensation shall be payable

under this section as if the notice to quit had not been given for a reason specified in subsection (1) of this section.

(10) If any question arises as to whether compensation is payable under this section or as to the amount payable by way of compensation under this section, the question shall, in default of agreement, be determined by arbitration under the Act of 1908.

(11) The expression "holding" in this section shall not include any land which forms part of any park, garden, or pleasure ground attached to and usually occupied with the mansion house, or any land adjoining the mansion house which is required for its protection or amenity, and the compensation for disturbance payable in respect of a notice to quit given in respect of any such land shall be such compensation (if any) as would have been payable under section eleven of the Act of 1908 if this Act had not been passed.

(12) Compensation payable under this section shall be in addition to any compensation to which the tenant may be entitled in respect of improvements, and shall be recoverable in the same manner as such compensation and be payable notwithstanding any agreement to the contrary.

Compensation for disturbance in case of allotment gardens.

11.—(1) The provisions of this Act as to compensation for disturbance in the case of a holding shall apply with the necessary modifications in the case of an allotment garden, but subject to the provisions of this section.

(2) Where the tenancy of an occupier of an allotment garden is terminated by reason of a notice to quit which is less than one year's notice, the compensation shall be either such an amount as is payble under the provisions applied by this section or such an amount as represents the benefits which would have accrued to the occupier from the occupation of the allotment garden on the terms of the expired tenancy during the period between the date of the expiration of the tenancy and the end of one year from the date on which the notice to quit was given, whichever amount is greater:

Provided that this subsection shall not apply where possession of the land is reasonably required for naval, military, or air force purposes or for building, mining, or other industrial purposes, or for roads necessary in connection with any of those purposes.

(3) Compensation under this section shall not be payable in the case of an allotment garden provided by a local authority for the purposes of the Small Holdings and Allotments Act, 1908, where the occupier is resident more than one mile out of the district of the local authority.

8 Edw. 7. c. 36.

(4) Any question as to whether compensation is payable under this section, or as to the amount payable, shall be determined under and in accordance with the provisions of the Allotments and Cottage Gardens (Compensation for Crops) Act, 1887, in the same manner as the amount of compensation for

50 & 51 Vict. c. 26.

crops or other matters is determined under that Act, and the compensation under this section shall be in addition to any compensation payable under that Act.

(5) So much of the last-mentioned Act as provides that that Act shall not extend to the Metropolis is hereby repealed as respects any tenancy which terminates after the commencement of this Act.

Application of Act to cottage on holdings under Act of 1908.

12. Where the occupation of a dwelling-house (including a garden attached thereto) forming part of a holding to which the Act of 1908 applies has been allowed by the tenant of the holding to a workman employed by him in agriculture on the holding, whether the occupation is under a contract of tenancy or not, and the occupation is terminated on account of the termination by the tenant of the holding of the employment of the workman, the provisions of the section of this Part of this Act relating to compensation for disturbance shall (subject as hereinafter provided and so far as the same are capable of application) apply as if the dwelling-house (including a garden attached thereto) were a holding and, where there is no contract of tenancy, as if the person allowing the dwelling-house to be so occupied were the landlord and the workman were the tenant, and the notice to terminate the occupation were a notice to quit:

Provided that—

(1) compensation shall not be payable under this section if—

(*a*) the notice to terminate the occupation is given before the expiration of six weeks from the commencement of the occupation; or

(*b*) the tenant of the holding has, before giving the notice, obtained from the district wages committee, or a sub-committee to which power in that behalf has been delegated by the committee, a certificate that the termination of the occupation is necessary or expedient to enable the holding to be worked properly or to better advantage; or

(*c*) the employment of the workman is for a year or half-year, and the occupation is terminated at the end of such period; or

(*d*) the workman does not cease to occupy the dwelling-house on the expiration of the notice to terminate his occupation thereof or on the expiration of a period of two months from the date when the notice was given whichever is the later; or

(*e*) the notice is given by reason of the employment of the workman having been terminated on account of his misconduct, and such reason shall be substituted for the reasons specified in subsection (1) of the said section; and

(2) for the purpose of compensation the year's rent of the dwelling-house shall be taken to be a sum equal to fifty-two times the maximum weekly value (not exceeding in any case three shillings) of the benefit of the provision of a cottage free from rent and rates as determined for the district under the provisions of the Act of 1917; and

(3) subsections (2) and (3) and paragraph (*b*) of subsection (7) of the said section shall not apply; and

(4) any question as to whether compensation is payable under this section or as to the amount payable shall, on the application of the tenant or workman, be determined by the district wages committee or a sub-committee to which power in that behalf has been delegated by the committee, and the committee or sub-committee may, in any case in which it appears to them to be just, direct the payment by the tenant to the workman of a sum in respect of his expenses of appearing before them, and any sum so directed to be paid shall be recoverable summarily by the tenant as a civil debt:

Provided also that, where under paragraph (*b*) of this section the tenant of a holding seeks to obtain a certificate from the district wages committee or a sub-committee of that committee, the workman shall be entitled to appear before the district wages committee or the sub-committee, as the case may be, and shall, in the event of the certificate being refused, also be entitled to recover from the tenant such sum as the committee, or sub-committee, may direct in respect of any expenses incurred by him in appearing before them.

Extension of tenancies under leases for a term of years.

13.—(1) In the case of a tenancy of a holding for a term of two years or upwards, the tenancy shall not terminate on the expiration of the term for which it was granted unless not less than one year nor more than two years before the date fixed for the expiration of the term a written notice has been given by either party to the other of his intention to terminate the tenancy, and any notice so given shall be deemed to be a notice to quit for the purposes of the Act of 1908 and this Act.

(2) If no such notice is given the tenancy shall, as from the expiration of the term for which it was granted, continue as a tenancy from year to year, but otherwise so far as applicable on the terms of the original tenancy.

(3) This section shall not apply to any tenancy granted, or agreed to be granted, before the commencement of this Act.

(4) In any case to which this section shall apply, it shall apply notwithstanding any agreement to the contrary.

Amendment of Landlord and Tenant Act, 1851. 14 & 15 Vict. c. 25.

14. Where the tenancy of a holding determines in the circumstances mentioned in section one of the Landlord and Tenant Act, 1851, the tenant shall, instead of continuing in

occupation as provided by that section until the expiration of the then current year of his tenancy, continue in occupation until the occupation is determined by a twelve months' notice to quit expiring at the end of a year of the tenancy.

Amendment of law as to improvements.

15.—(1) Where the landlord of any holding refuses or within a reasonable time fails to consent in manner required by section two of the Act of 1908 to the making of any improvement comprised in Part I. of the First Schedule to that Act (other than the erection, alteration, or enlargement of buildings or an improvement comprised in the Third Schedule to that Act) which is declared by regulation made by the Minister to be an improvement to which this subsection applies, either absolutely or except upon such terms as the tenant is unwilling to accept, the agricultural committee for the area in which the holding is situate may, on the application of the tenant and after giving the landlord or his representative an opportunity of being heard, direct that the improvement shall be treated for the purposes of the Act of 1908 as if it were an improvement comprised in Part II. of the First Schedule to that Act, and any direction given by the agricultural committee under this subsection may be given subject to such conditions, if any, for the protection of the landlord, as the committee think fit:

Provided that, in considering any such application, the agricultural committee shall have special regard to the estimated cost of the improvement in relation to the rent of the holding.

A draft of any regulations made under this subsection shall be laid before each House of Parliament for not less than thirty days during which that House is sitting, and, if either House before the expiration of that period presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft regulation.

(2) The Minister may by regulation substitute such percentages or period as he thinks fit for the percentages and period mentioned in subsection (3) of section three of the Act of 1908, having due regard to the current rates of interest.

(3) Subject to the provisions of this section, where a tenant desires to make on his holding or any part of his holding any improvement comprised in the Third Schedule to the Act of 1908 and the landlord refuses, or within a reasonable time fails, to agree in writing that the holding or that part of the holding shall be treated as a market garden, the agricultural committee for the area in which the holding is situate may, on the application of the tenant and after hearing the landlord or his representative, and after being satisfied that the holding or part of the holding is suitable for the purposes of market gardening, direct that section forty-two of the Act of 1908 shall, either in respect of all the improvements comprised in the said Third Schedule or in respect of some only of those improvements,

apply to the holding or to that part thereof, and the said section shall apply accordingly as respects any improvements executed after the date on which the direction is given :

Provided that nothing in this subsection shall authorise the breaking up of meadow land or pasture.

Any direction given by an agricultural committee under this subsection shall be subject to such conditions, if any, for the protection of the landlord, as the committee may think fit to attach to the direction, and, where any such direction is given, the following provisions shall have effect :—

(*a*) If the tenancy is terminated by notice to quit given by the tenant or by reason of the tenant becoming bankrupt or compounding with his creditors, the tenant shall not be entitled to compensation in respect of any such improvements as are specified in the direction unless the tenant not later than one month after the date on which the notice to quit is given or the date of the bankruptcy or composition, as the case may be, or such later date as may be agreed, produces to the landlord an offer in writing by a substantial and otherwise suitable person (being an offer which is to hold good for a period of three months from the date on which it is produced), to accept a tenancy of the holding from the termination of the existing tenancy thereof, and on the terms and conditions of that tenancy so far as applicable, and, subject as hereinafter provided, to pay to the outgoing tenant all compensation payable under the Act of 1908, or under the contract of tenancy, and the landlord fails to accept the offer within three months after the production thereof; and

(*b*) If the landlord accepts any such offer, the incoming tenant shall pay to the landlord on demand all sums payable to him by the outgoing tenant on the termination of the tenancy in respect of rent or breach of contract or otherwise in respect of the holding, and any amount so paid may, subject to any agreement between the outgoing tenant and incoming tenant, be deducted by the incoming tenant from any compensation payable by him to the outgoing tenant; and

(*c*) If the direction relates to part only of the holding, the direction may, on the application of the landlord, be given subject to the condition that the tenant shall consent to the division of the holding into two parts (one such part being the part to which the direction relates) to be held at rents agreed by the landlord and tenant or in default of agreement settled by the committee, but otherwise on the same terms and conditions as the original holding, so far as applicable.

(4) A new tenancy created by the acceptance of a tenant in accordance with the provisions of this section on the terms and conditions of the existing tenancy shall not be deemed to be a new tenancy for the purposes of the provisions of this Act relating to demands for arbitration as to rent.

(5) The powers under this section of an agricultural committee may, in the case of a holding situate in a county borough for which an agricultural committee has not been appointed, be exercised by the Minister.

(6) In the exercise of their powers under this section the agricultural committee and the Minister shall have regard to the likelihood of the land being required for any purpose other than agriculture.

(7) If in any case a landlord or tenant by notice in writing given to the other party shall so require, the powers which under this section may be exercised by a committee shall in that case be exercised by an arbitrator appointed and acting under and in accordance with the provisions of the Act of 1908.

Compensation for continuous adoption of special standard or system of farming.

16.—(1) Where a tenant who quits a holding after the commencement of this Act on so quitting proves to the satisfaction of an arbitrator appointed under the Act of 1908 that the value of the holding to an incoming tenant has been increased during the tenancy by the continuous adoption of a standard of farming or a system of farming which has been more beneficial to the holding than the standard or system (if any) required by the contract of tenancy, the arbitrator shall award to the tenant such compensation as in his opinion represents the value to an incoming tenant of the adoption of that standard or system:

Provided that—

(*a*) This section shall not apply in any case unless a record of the condition of the holding has been made under the Act of 1908 or in respect of any matter arising before the date of the record so made; and

(*b*) Compensation shall not be payable under this section unless the tenant has, before the termination of the tenancy, given notice in writing to the landlord of his intention to claim such compensation; and

(*c*) The arbitrator in assessing the value to an incoming tenant shall make due allowance for any compensation agreed or awarded to be paid to the tenant for any improvement specified in the First Schedule to the Act of 1908 which has caused or contributed to the benefit.

(2) Nothing in this section shall entitle a tenant to recover in respect of an improvement specified in the First Schedule or the Third Schedule to the Act of 1908 any compensation

which he would not have been entitled to recover if this section had not been passed.

(3) The continuous adoption of such a beneficial standard or system of farming as aforesaid shall be treated as an improvement for the purposes of the provisions of this Act relating to the determination of the rent properly payable in respect of a holding.

Determination of claims for compensation where a holding is divided.

17.—(1) Where a holding has become vested in more than one person in several parts and the rent payable by the tenant of the holding has not been apportioned with his consent or under any statute, the tenant shall be entitled to require that any compensation payable to him under the Act of 1908 shall be determined as if the holding had not been divided, and the arbitrator shall, where necessary, apportion the amount awarded between the persons who for the purposes of the Act of 1908 together constitute the landlord of the holding, and any additional costs of the award caused by the apportionment shall be directed by the arbitrator to be paid by those persons in such proportions as he shall determine.

(2) This section shall not apply in the case of a tenancy which terminates before the commencement of this Act.

Arbitration on quitting holding.

18.—(1) Any question or difference arising out of any claim by the tenant of a holding against the landlord for compensation payable under the Act of 1908 or for any sums claimed to be due to the tenant from the landlord for any breach of contract or otherwise in respect of the holding, or out of any claim by the landlord against the tenant for waste wrongly committed or permitted by the tenant or for any breach of contract or otherwise in respect of the holding, and any other question or difference of any kind whatsoever between the landlord and the tenant of the holding arising out of the termination of the tenancy of the holding or arising, whether during the tenancy or on the termination thereof, as to the construction of the contract of tenancy shall be determined by arbitration under the Act of 1908.

(2) Any such claim as is mentioned in this section shall cease to be enforceable after the expiration of two months from the termination of the tenancy unless particulars thereof have been given by the landlord to the tenant or by the tenant to the landlord, as the case may be, before the expiration of that period:

Provided that, where a tenant lawfully remains in occupation of part of a holding after the termination of the tenancy, particulars of a claim relating to that part of the holding may be given within two months from the termination of the occupation.

(3) This section shall not apply in the case of a tenancy which terminates before the commencement of this Act.

Compensation to landlord for

19. Where a landlord proves, to the satisfaction of an arbitrator appointed under the Act of 1908, on the termination

of the tenancy of a holding, that the value of the holding has been deteriorated during the tenancy by the failure of the tenant to cultivate the holding according to the rules of good husbandry or the terms of the contract of tenancy, the arbitrator shall award to the landlord such compensation as in his opinion represents the deterioration of the holding due to such failure : deterioration of holding.

Provided that compensation shall not be payable under this section unless the landlord has, before termination of the tenancy, given notice in writing to the tenant of his intention to claim such compensation :

Provided also that nothing in this section shall prevent a landlord from claiming compensation for dilapidations or for the deterioration of the holding under the contract of tenancy.

20.—(1) Subject as hereinafter provided, the Minister may by rules make such provision (not being inconsistent with the rules contained in the Second Schedule to the Act of 1908) as he thinks desirable for expediting, or reducing the costs of, proceedings on arbitrations under the Act of 1908: Provisions for expediting and reducing costs of arbitrations.

(2) On an arbitration under the Act of 1908 the arbitrator—

(*a*) shall state separately in his award the amounts awarded in respect of the several claims referred to him; and

(*b*) may, if he thinks fit, make an interim award for the payment of any sum on account of the sum to be finally awarded.

(3) A rule made under this section shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent thirty days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

21.—(1) Such number of persons as may be appointed by the Lord Chief Justice of England, shall form a panel of persons from whom any arbitrator nominated, otherwise than by agreement, for the purposes of an arbitration under and in accordance with the provisions of the Second Schedule to the Act of 1908 shall be selected. Constitution of panel of arbitrators, and provision as to arbitrators' remuneration.

(2) The remuneration of an arbitrator so nominated as aforesaid shall be such amount as is fixed by the Minister, and the remuneration of an arbitrator appointed by the parties to any such arbitration shall, in default of agreement between those parties and the arbitrator, be such amount as on the application of the arbitrator or either of the parties is fixed by the registrar of the county court, subject to appeal to the judge of the court.

(3) The remuneration of an arbitrator when agreed or fixed under this section shall be recoverable by the arbitrator as a debt due from either of the parties to the arbitration, and any

amount paid in respect of the remuneration of the arbitrator by either of those parties in excess of the amount (if any) directed by the award to be paid by him in respect of the costs of the award shall be recoverable from the other party to the arbitration.

(4) An arbitrator nominated otherwise than by agreement for an arbitration relating to a holding in Wales shall be a person who possesses a knowledge of Welsh agricultural conditions and, if either party to the arbitration so requires, a knowledge also of the Welsh language.

(5) This section shall not apply as respects any arbitrator nominated or appointed before the commencement of this Act.

Resumption of part of holding by landlord.

22. Where after the commencement of this Act the landlord of a holding gives notice, in pursuance of a provision in that behalf contained in the contract of tenancy, of his intention to resume possession of some part of the holding, the provisions of paragraphs (*b*) and (*c*) of section twenty-three of the Act of 1908 (but not including the proviso thereto) shall apply as if the notice were such a notice to quit as is mentioned in that section :

Provided that, in assessing the compensation payable to the tenant and the reduction of rent, the arbitrator shall take into consideration any benefit or relief allowed to the tenant under the contract of tenancy in respect of any land resumed in pursuance of such provision.

Amendment of s. 40 of 8 Edw. 7. c. 28.

23.—(1) Section forty of the Act of 1908 shall have effect as though for the words " the powers by this Act conferred on a " landlord (other than that of entering on a holding for the " purpose of viewing the state of the holding) " and the words " the powers by this Act conferred on a landlord (other than " as aforesaid) " contained in subsection (1) and subsection (2) respectively of the said section there were substituted the words " the powers by this Act conferred on a landlord in respect of " charging land."

(2) This section shall apply in relation to any power whether the power has been exercised before or after the commencement of this Act.

Extension of meaning of " holding."

24.—(1) Where the land comprised in a contract of tenancy is not a holding within the meaning of the Act of 1908 by reason only of the fact that the land so comprised includes land (hereinafter referred to as " the non-statutory land ") which, owing to the nature of the buildings thereon or the use to which it is put, would not, if it had been separately let, be a holding within the meaning of the said Act, the provisions of the said Act relating to compensation for improvements and disturbance shall, unless otherwise agreed in writing, apply to the part of the land exclusive of the non-statutory land as if that part were a separate holding.

(2) This section shall not apply in relation to a contract of tenancy made before the commencement of this Act.

Prohibition of removal of manure, &c., after notice to terminate the tenancy.

25. Where after the commencement of this Act notice to terminate the tenancy of a holding is given, either by the tenant or by the landlord, the tenant shall not, subject to any agreement to the contrary, at any time after the date of the notice, sell or remove from the holding any manure or compost, or any hay or straw or roots grown in the last year of the tenancy, unless and until he has given the landlord or incoming tenant a reasonable opportunity of agreeing to purchase on the termination of the tenancy at their fair market value, or at such other value as is provided by the contract of tenancy, the said manure, compost, hay, straw, or roots.

Record of holding.

26. If the landlord or tenant of a holding at any time during the tenancy so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches and cultivation of the holding, and, if so required by the tenant, a record of any existing improvements executed by the tenant or for which the tenant is, under section seven of the Act of 1908, entitled to claim compensation, and of any fixtures or buildings which under section twenty-one of that Act the tenant is entitled to remove, shall be made by a person to be appointed in default of agreement by the Minister, and in default of agreement the cost of making any such record shall be borne by the landlord and tenant in equal shares.

Amendment of s. 4 of the Act of 1908.

27. Section four of the Act of 1908 (which relates to agreements as to compensation for improvements comprised in Part III. of the First Schedule to that Act) shall, after the commencement of this Act, apply only to improvements to which the provisions of section forty-two of the Act of 1908 apply or are directed under this Act to apply :

Provided that this section shall not affect the operation of any agreement entered into before the commencement of this Act.

Notices to quit.

28.—(1) Notwithstanding any provision in a contract of tenancy to the contrary, a notice to quit a holding shall be invalid if it purports to terminate the tenancy before the expiration of twelve months from the end of the then current year of tenancy; but nothing in this section shall extend to a case where a receiving order in bankruptcy is made against the tenant.

(2) Section twenty-two of the Act of 1908 (which relates to the time of notices to quit), is hereby repealed.

(3) This section shall not apply to—

(*a*) any notice given by or on behalf of the Admiralty, War Department, or Air Council under the provisions of any agreement of tenancy where possession of the land is required for naval, military, or air force purposes; or

(*b*) any notice given by a corporation carrying on a railway, dock, canal, water, or other undertaking in respect of any land acquired by the corporation for the purposes of their undertaking or by a government department or local authority where possession of the land is required by the corporation, government department or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department, or authority or appropriated under any statutory provision; or

(*c*) any notice given in pursuance of a provision in the contract of tenancy authorising the resumption of possession of the holding or some part thereof for some specified purpose, unless that purpose is the use of the land for agriculture; or

(*d*) any notice given by a tenant to a sub-tenant; or

(*e*) any notice given before the commencement of this Act.

Minor amendments of 8 Edw. 7. c. 28 and 9 & 10 Geo. 5 c. 63.

29. The amendments in the second column of the First Schedule to this Act (which relate to minor details), shall be made in the provisions of the Agricultural Holdings Act, 1908, and the Agricultural Land Sales (Restriction of Notices to Quit) Act, 1919, specified in the first column of that schedule.

PART III.

GENERAL.

Expenses.

30. Any expenses incurred by the Minister in meeting payments under Part I. of the Act of 1917, and any expenses incurred by the Minister or any other department or body under any other provisions of that Act, shall be defrayed out of moneys provided by Parliament.

Provisions as to powers by agricultural committees.

31.—(1) Any powers authorised by any Act to be exercised by an agricultural committee other than the power conferred by this section may, unless otherwise expressly provided by that Act, be delegated by a committee to a sub-committee.

(2) No member of an agricultural committee shall take part in any decision of the committee which relates to the land of which he is the owner or occupier, or the agent of the owner or occupier, or to any bargain or contract contemplated or entered into by the agricultural committee in which such member is directly concerned.

Dwelling-house occupied by workman employed in agriculture. 9 Edw. 7. c. 44.

32. Notwithstanding any agreement to the contrary, where under any contract of employment of a workman employed in agriculture current at or made after the commencement of this Act, the provision of a dwelling-house or part of a dwelling-house for the occupation of the workman forms part of the remuneration of the workman, and the provisions of

sections fourteen and fifteen of the Housing, Town Planning, &c. Act, 1909, are inapplicable by reason only of the house or part of the house not being let to the workman, there shall be implied as part of the contract of employment and as from the commencement of the occupation or of this Act, whichever date is the later, the like conditions as would be implied under those provisions if the house or part of the house were so let, and those provisions shall apply accordingly as if incorporated in this section with the substitution of "employer" for "landlord" and such other modifications as may be necessary:

Provided that this section shall not affect the obligation of any person other than the employer to repair a cottage to which this section applies or any remedy for enforcing any such obligation.

Interpretation.

33. In this Act, unless the context otherwise requires,—

(1) The expression "the Minister" means the Minister of Agriculture and Fisheries:

(2) The expression "Wales" shall be deemed to include "Monmouthshire":

(3) The expression "agricultural committee" means the agricultural committee established for a county or borough under the Ministry of Agriculture and Fisheries Act, 1919, or, where the powers of an agricultural committee with respect to the matter in question have been delegated to a sub-committee, that sub-committee:

9 & 10 Geo. 5. c. 91.

(4) The expression "rules of good husbandry" means (due regard being had to the character of the holding) so far as is practicable having regard to its character and position—

(*a*) the maintenance of the land (whether arable, meadow, or pasture), clean and in a good state of cultivation and fertility, and in good condition; and

(*b*) the maintenance and clearing of drains, embankments, and ditches; and

(*c*) the maintenance and proper repair of fences, stone walls, gates, and hedges; and

(*d*) the execution of repairs to buildings, being repairs which are necessary for the proper cultivation and working of the land on which they are to be executed; and

(*e*) such rules of good husbandry as are generally recognised as applying to holdings of the same character and in the same neighbourhood as the holding in respect of which the expression is to be applied:

Provided that the foregoing definition shall not imply an obligation on the part of any person to maintain or clear drains, embankments, or ditches,

if and so far as the execution of the works required is rendered impossible (except at prohibitive or unreasonable expense) by reason of subsidence of any land or the blocking of outfalls which are not under the control of that person, or in its application to land in the occupation of a tenant imply an obligation on the part of the tenant—

(i) to maintain or clear drains, embankments, or ditches, or to maintain or properly repair fences, stone walls, gates, or hedges where such work is not required to be done by him under his contract of tenancy; or

(ii) to execute repairs to buildings which are not required to be executed by him under his contract of tenancy:

8 Edw. 7. c. 28.

(5) The expression "the Act of 1908" means the Agricultural Holdings Act, 1908, and the expression "the Act of 1917" means the Corn Production Act, 1917:

(6) References to the Act of 1908, or to the Act of 1917, or to any provision of either of those Acts, shall be construed as referring to that Act or to that provision as amended by any other Act, including this Act:

(7) References to the terms, conditions, or requirements of a contract of tenancy of or of an agreement relating to a holding shall be construed as including references to any obligations, conditions, or liabilities implied by the custom of the country in respect of the holding.

Application to Scotland.

34. This Act shall apply to Scotland with the following modifications:—

(1) Unless the context otherwise requires—

(*a*) The expression "the Minister" (except in the section of this Act relating to the appointment, remuneration, and powers of Commissioners) means the Board of Agriculture for Scotland;

9 & 10 Geo. 5. c. 97.

(*b*) A reference to the Land Settlement (Scotland) Act, 1919, shall be substituted for the reference to the Land Settlement (Facilities) Act, 1919; and a reference to the Arbitration (Scotland) Act, 1894, shall be substituted for the reference to the Arbitration Act, 1889;

57 & 58 Vict. c. 3.

(*c*) A reference to the sheriff shall be substituted for the reference to the county court; a reference to act of sederunt shall be substituted for the reference to Rules of the Supreme Court; and a reference to either division of the Court of Session shall be substituted for the reference to the Court of Appeal;

(*d*) The expression "agricultural committee" means the body of persons constituted with respect to any area by the Board of Agriculture for Scotland under subsection (2) of section eleven of the Act of 1917;

(*e*) The expressions "the Agricultural Holdings Act, 1908," and "the Act of 1908," mean the Agricultural Holdings (Scotland) Act, 1908, and references to sections eleven, twenty-one and forty-two of the first-mentioned Act shall be construed as references to sections ten, twenty and twenty-nine respectively of the said Agricultural Holdings (Scotland) Act; 8 Edw. 7. c. 64.

(*f*) "High Court" means "Court of Session," "receiver and manager" means "manager," "arbitrator" means "arbiter," and "costs" include "expenses":

(2) The provision requiring that proceedings for an offence shall not be instituted except by the Minister shall not apply:

(3) In the application of subsection (4) of the section of this Act relating to compensation for disturbance "five years" shall be substituted for "two years," and in the application of subsection (6) of that section the expression "rent" means the rent after deduction of such an amount as the arbiter, failing agreement, may find to be equivalent to the amount (if any) annually payable by the landlord in respect of the holding by way of—

(*a*) any public rates, taxes, or assessments which in England are by law a charge on the occupiers of lands; or

(*b*) any public rates or taxes or other public burdens the like whereof are not chargeable on lands in England:

(4) In subsection (11) of the section of this Act relating to compensation for disturbance, there shall be inserted after the word "amenity" the words "or any permanent grass park held for the purposes of a business or calling not primarily agricultural or pastoral, including that of butcher, cattle-dealer, and the like," and after the words "any such land," there shall be inserted the words "or grass park":

(5) In the application of the section of this Act relating to compensation for disturbance in case of allotment gardens the expression "allotment garden" means an allotment under the Allotments (Scotland) Act, 1892, as amended or applied by any subsequent enactment, and a reference to the Small Holdings and Allotments Act, 1908, or to the Allotments and Cottage 55 & 56 Vict. c. 54.

Gardens (Compensation for Crops) Act, 1887, shall be construed as a reference to the said Act of 1892 as so amended or applied :

(6) For references to becoming bankrupt or compounding with creditors, there shall be substituted references to becoming notour bankrupt or executing a trust deed for behoof of creditors :

(7) The sections of this Act relating to extension of tenancies under leases for a term of years and to notices to quit shall not apply, and in lieu thereof—

(*a*) Subsection (1) of section eighteen of the Act of 1908 shall, in the case of a lease entered into after the passing of this Act have effect as though for the words "three years" there were substituted the words "two years"; and subsection (2) of the said section shall have effect as if at the end thereof the following words were added "and in the case of any lease so renewed the period "of notice required to terminate the tenancy shall, "where the notice is given after the thirty-first day "of May, nineteen hundred and twenty-one, be not "less than one year nor more than two years";

7 Edw. 7. c. 51.

(*b*) The provisions of the Sheriff Courts (Scotland) Act, 1907, relating to removings shall, in the case of any holding to which section eighteen of the Act of 1908 applies, have effect subject to the provisions of that section as modified by paragraph (*a*) of this subsection :

(8) In the sections of this Act relating to compensation for disturbance and amendment of law as to improvements, for the words "a county borough," there shall be substituted the words "an area" :

(9) Section twenty-three of the Agricultural Holdings Act, 1908, shall apply to Scotland as if that section had been enacted in Part II. of this Act, with the substitution of small holdings under the Small Landholders (Scotland) Acts, 1886 to 1919, for small holdings as defined by the Small Holders and Allotments Act, 1907, and any reference in this Act to the said section twenty-three shall be construed as a reference to the said section as so applied :

7 Edw. 7. c. 54.

(10) The section of this Act relating to amendment of section forty of 8 Edw. 7. c. 28 shall not apply, and in lieu thereof—

(*a*) Section twenty-eight of the Act of 1908 shall have effect as if for the words "The powers by "this Act conferred on a landlord (other than that "of entering on a holding for the purpose of "viewing the state of the holding)," there were substituted the words "The powers by this Act

" conferred on a landlord in respect of charging " the land ";

(*b*) This subsection shall apply in relation to the exercise of any power whether before or after the commencement of this Act:

(11) In subsection (1) of the section of this Act relating to constitution of panel of arbitrators and provision as to arbitrators' remuneration, for the words " the " Lord Chief Justice of England," there shall be substituted the words " the Lord President of the " Court of Session," and in subsection (2) of the same section for the words " registrar of the county court," there shall be substituted the words " auditor " of the sheriff court."

Act not to apply to Ireland.

35. This Act shall not apply to Ireland.

Commencement, repeal, and short title.

36.—(1) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one.

(2) Part I. of this Act shall be construed as one with the Act of 1917, and that Act and Part I. of this Act may be cited together as the Corn Production Acts, 1917 and 1920.

Part II. of this Act shall be construed as one with the Act of 1908, and the Agricultural Holdings Acts, 1908 and 1913, and Part II. of this Act may be cited together as the Agricultural Holdings Acts, 1908 to 1920, and the Agricultural Holdings (Scotland) Acts, 1908 and 1910, and Part II. of this Act as that Part applies to Scotland may be cited together as the Agricultural Holdings (Scotland) Acts, 1908 to 1920.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that (without prejudice to the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals) this repeal shall not prejudice or affect— 52 & 53 Vict. c. 63.

(*a*) the operation of any notice served, or order made, before the commencement of this Act under the powers conferred by Part IV. of the Act of 1917, or the powers continued in operation by subsection (3) of section eleven of the Act of 1917 as amended by the Corn Production (Amendment) Act, 1918; or

(*b*) the rights of the Minister in respect of any land of which possession has been taken under the said powers before the commencement of this Act; or

(*c*) the right of any person to recover compensation in respect of anything done or suffered under the said powers whether before or after the commencement of this Act; or

(*d*) the right of any person to require any question arising out of any notice served, order made, or possession taken under the said powers before the commencement of this Act to be referred to arbitration.

(4) This Act may be cited as the Agriculture Act, 1920.

SCHEDULES.

Section 29.

FIRST SCHEDULE.

MINOR AMENDMENTS OF AGRICULTURAL HOLDINGS ACT, 1908.

Enactment to be Amended.	Nature of Amendment.
Section one	In subsection (1), after the word "Act," where that word first occurs, there shall be inserted the words "and the "tenancy was entered upon after the first day of Janu- "ary, nineteen hundred and twenty-one, whether the "improvement was or was not an improvement which "he was required to make by the terms of his tenancy"; and in paragraph (*a*) of subsection (2) after the word "improvement," there shall be inserted "whether "expressly stated in the contract of tenancy to be so "given or allowed or not"; and in paragraph (*b*) of subsection (2), there shall be inserted after the word "crops," where that word first occurs, the words "grown on and."
Section five	The words "in respect of any improvement comprised "in the First Schedule hereto" shall be omitted.
Section fifteen	In subsection (1), after the word "hereto," where it first occurs, there shall be inserted the words "or in respect of compensation for disturbance," and after the word "expended," there shall be inserted the words "and "of all costs properly incurred by him in obtaining "the charge."
Section twenty-three.	In paragraph (iii) the words "for labourers" shall be omitted.
Section thirty-one.	After the word "compensation," there shall be inserted the words "for disturbance or."
First Schedule	After "(16) Erection of wireworks in hop gardens," there shall be inserted:— "(16*a*) Provision of permanent sheep-dipping accommodation; "(16*b*) In the case of arable land the removal of bracken, gorse, tree roots, boulders, or other like obstructions to cultivation."

Enactment to be Amended.	Nature of Amendment.
	And in paragraph (26) there shall be added at end thereof the words "in so far as the value of the temporary "pasture on the holding at the time of quitting "exceeds the value of the temporary pasture on the "holding at the commencement of the tenancy for "which the tenant did not pay compensation."
Second Schedule	In paragraph 10, for the words "sooner than one month or later than two months," there shall be substituted the words "later than one month."

MINOR AMENDMENT OF AGRICULTURAL LAND SALES (RESTRICTION OF NOTICES TO QUIT) ACT, 1919.

Enactment to be Amended.	Nature of Amendment.
Section one	After the word "shall," where it first occurs, insert "if "the contract for sale is made by the person by whom "the notice to quit was given."

In the application of this Schedule to Scotland, the references to sections fifteen and thirty-one of the Agricultural Holdings Act, 1908, shall not apply; and subsection (1) of section thirteen of the Agricultural Holdings (Scotland) Act, 1908, shall be amended by the insertion after the word "hereto," of the words, "or in respect of compensation for disturbance" and by the insertion after the words "or any part thereof," wherever occurring, of the words "and of the expense of executing and registering the same."

SECOND SCHEDULE

Section 36.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
14 & 15 Vict. c. 25.	The Landlord and Tenant Act, 1851.	In section one, the words from "Provided always," to the end of the section.
8 Edw. 7. c. 28.	The Agricultural Holdings Act, 1908.	Subsections (2) and (3) of section six; section eleven; subsection (2) of section thirteen; section twenty-two; in paragraph (iii) of section twenty-three the words

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 64—*cont.*		"for labourers"; section twenty-seven; in subsection (1) of section forty the words "the powers by "this Act conferred on a landlord "(other than that of entering "on a holding for the purpose "of viewing the state of a "holding)"; in subsection (2) of section forty the words "the "powers by this Act conferred "on a landlord (other than as "aforesaid)."
8 Edw. 7. c. 64.	The Agricultural Holdings (Scotland) Act, 1908.	Subsections (2) and (3) of section six; section ten; subsection (2) of section eleven; section twenty-four; in section twenty-eight the words "the powers by this Act "conferred on a landlord (other "than that of entering on a "holding for the purpose of "viewing the state of the hold-"ing)."
10 Edw. 7. & 1 Geo. 5. c. 34.	The Small Holdings Act, 1910.	The whole Act.
4 & 5 Geo. 5. c. 7.	The Agricultural Holdings Act, 1914.	The whole Act.
6 & 7 Geo. 5. c. 38.	The Small Holding Colonies Act, 1916.	Subsection (2) of section one.
7 & 8 Geo. 5. c. 46.	The Corn Production Act, 1917.	Subsection (1) of section two and section nine; subsection (2) of section nineteen.
8 & 9 Geo. 5. c. 35.	The Corn Production (Amendment) Act, 1918.	The whole Act.

CHAPTER 77.

An Act to regulate the importation of dyestuffs. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition on importation of dyestuffs.

1.—(1) With a view to the safe-guarding of the dye-making industry, the importation into the United Kingdom of the following goods, that is to say, all synthetic organic dyestuffs,

colours and colouring matters, and all organic intermediate products used in the manufacture of any such dyestuffs, colours, or colouring matters shall be prohibited.

(2) Goods prohibited to be imported by virtue of this Act shall be deemed to be included among the goods enumerated and described in the Table of Prohibitions and Restrictions Inwards contained in section forty-two of the Customs Consolidation Act, 1876, and the provisions of that Act and of any Act amending or extending that Act shall apply accordingly. 39 & 40 Vict. c. 36.

Provision as to licences and constitution of advisory committee.

2.—(1) The Board of Trade have power by licence to authorise, either generally or in any particular case, the importation of any of the goods, or any class or description of the goods, prohibited to be imported by virtue of this Act.

(2) A licence granted under this section shall not be transferable.

(3) For the purpose of advising them with respect to the granting of licences, the Board shall constitute a committee consisting of five persons concerned in the trades in which goods of the class prohibited to be imported by this Act are used, three persons concerned in the manufacture of such goods, and three other persons not directly concerned as aforesaid.

Such one of the three last-mentioned persons as the Board shall appoint shall be chairman of the committee.

(4) If on an application for a licence under this section the committee are satisfied that the goods to which the application relates are goods wholly produced or manufactured in some part of His Majesty's dominions, a licence shall be granted in accordance with the application.

(5) An applicant for a licence shall be entitled to object to any member or members of such committee dealing with his application on the ground that he is prejudiced, owing to the fact that such member or members is or are trade competitors, and, if such objection is sustained by the committee, the member or members so objected to shall withdraw from further consideration of the case, and shall not have access to any information or documents concerning it.

(6) For the purpose of advising them with respect to the efficient and economical development of the dye-making industry, the Board shall constitute a committee of persons concerned in the trades of dye-maker or dye-user and of such other persons not directly concerned in such trades as the Board may determine.

(7) For the purpose of providing for the expenses incurred by the Board in carrying this Act into execution, the Board may charge in respect of a licence a fee not exceeding five pounds.

Exception for transit goods.

3. Subject to compliance with such conditions as to security for the re-exportation of the goods as the Commissioners of

Customs and Excise may impose, this Act shall not apply to goods imported for exportation after transit through the United Kingdom or by way of transhipment.

Exercise of powers of Board under Act.

4. Anything authorised under this Act to be done by the Board of Trade may be done by the President or a Secretary or Assistant Secretary of the Board or by any person authorised in that behalf by the President of the Board.

Duration and short title.

5.—(1) The provisions of this Act shall continue in force for a period of ten years from the commencement thereof and no longer.

(2) This Act may be cited as the Dyestuffs (Import Regulation) Act, 1920.

(3) This Act shall come into operation on the fifteenth day of January, nineteen hundred and twenty-one.

CHAPTER 78.

An Act to make provision for removing certain difficulties with respect to the summoning of Juries in certain cities, boroughs and towns in England, and for removing doubts as to the validity of certain verdicts. [23rd December 1920.]

6 Geo. 4. c. 50.

WHEREAS it is enacted by section fifty of the Juries Act, 1825, that the qualification in that Act thereinbefore required for jurors and the regulations for procuring lists of persons liable to serve on juries should not extend to the jurors or juries in any liberties, franchises, cities, boroughs or towns corporate, not being counties, or in cities, boroughs, or towns being counties of themselves, which should respectively possess any jurisdiction, civil or criminal, but that in all such places the sheriffs, bailiffs, or other ministers having the return of juries should prepare their panels in the manner theretofore accustomed:

And whereas in purported pursuance of the said section panels of jurors have been prepared in certain cities, boroughs, or towns in the said accustomed manner and not in the manner directed by the other provisions of the said Act:

And whereas doubts have arisen as to whether the provisions of the said section apply to juries impanelled for the purposes of the trial of civil or criminal cases at assizes within the said cities, boroughs, or towns, and it is apprehended that the validity of verdicts heretofore returned by juries so impanelled in the said cities, boroughs, or towns may be called in question:

And whereas it is necessary to make provision for the summoning of juries to try civil and criminal cases at assizes within such cities, boroughs, or towns during the period before

the date on which jury lists prepared in accordance with the provisions of the said Act can come into operation :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Saving for past verdicts.

1. Where at any time before the passing of this Act a verdict has been returned by any jury purporting to have been summoned and impanelled according to law in any civil or criminal case tried before any court of assize held within any such city, borough, or town as aforesaid, then, notwithstanding anything in the Juries Act, 1825, the verdict and any sentence imposed or judgment given thereupon shall have, and shall be deemed always to have had, the same force and effect as if the said jury had been duly summoned and impanelled.

Provision as to preparation of jury lists for 1921 in certain cities, boroughs, and towns.

2. The sheriff, bailiff, or other person having the return of juries in any such city, borough, or town, as aforesaid, shall, for the purpose of preparing a panel of persons to serve on juries at assizes in that city, borough, or town during the year nineteen hundred and twenty-one, forthwith after the passing of this Act take a copy of the burgess roll then in force for the city, borough, or town, and place a mark against the names of all burgesses who are qualified and liable to serve on such juries, and, notwithstanding that the provisions of the said Juries Act, 1825 (other than the said section fifty) have not been complied with, the names so marked on the burgess roll shall be deemed to constitute the jury list for that city, borough, or town for the purposes of that Act and of any Act amending that Act.

Short title.

3. This Act may be cited as the Juries (Emergency Provisions) Act, 1920.

CHAPTER 79.

An Act to amend the Defence of the Realm (Acquisition of Land) Act, 1916, and to continue certain byelaws. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to dispose of land free from restrictive covenant. 6 & 7 Geo. 5. c. 53.

1.—(1) Where land which, or an interest in which, has been or is hereafter acquired under the Defence of the Realm (Acquisition of Land) Act, 1916 (hereinafter referred to as the principal Act), was immediately before its acquisition subject to a restrictive covenant which before the fourth day of November,

nineteen hundred and twenty, had lawfully been contravened, and the land or interest therein is disposed of in pursuance of the powers conferred by section five of that Act, it may be disposed of free from the restriction imposed by the covenant, and shall be deemed to have been so disposed of, if expressed to be disposed of in pursuance of the powers conferred by the principal Act and this Act but not otherwise:

Provided that, where the covenant is one entered into for the protection and maintenance of any building scheme, or for the preservation of the amenities of any dwelling-house in the occupation of a person entitled to enforce the covenant, this section shall not apply unless the Railway and Canal Commission, on the application of the occupying department, and having regard to all the circumstances of the case, direct that it shall apply.

(2) Where any such land or interest is disposed of free from such restriction, no person shall have the right of enforcing the covenant against the person to whom the land or interest is disposed of or his successors in title, but if at any time after such disposition any person who, but for this section, would have had a right to enforce the covenant, establishes such right, there shall be paid to him compensation to be determined in manner provided by the Lands Clauses Act as modified by the principal Act and the Acquisition of Land (Assessment of Compensation) Act, 1919, with respect to interests in lands which have been omitted to be purchased, and upon payment of such compensation the right shall, as against him and all persons deriving title through him, be absolutely discharged:

9 & 10 Geo. 5. c. 57.

Provided that, in assessing the compensation, the official arbitrator shall take into consideration any compensation which may have been paid or be payable in respect of the covenant under section four of the principal Act. Any compensation payable under the foregoing provisions shall be paid out of moneys provided by Parliament, but the sum to be expended in respect thereof shall not exceed fifty thousand pounds.

(3) In the application of this section to Scotland "restrictive covenant" shall mean any obligation imposed by way of real burden or reservation or condition running with or affecting the land, whereby any restriction on the alienation or transfer of possession of the land, or on the use or enjoyment thereof, is effected.

Provisions as to rights of pre-emption.

2.—(1) The right of pre-emption conferred by section five of the principal Act on any person other than a person entitled to the lands from which the land proposed to be sold was originally severed shall cease to have effect, and accordingly in subsection (3) of that section the words from "or if such person refuse" to the end of that subsection shall be repealed.

(2) Where the land from which land acquired under the principal Act was severed is settled land within the meaning of the Settled Land Acts, 1882 to 1890, the tenant for life, or person having the powers of a tenant for life under those Acts with respect to that land, shall, for the purposes of section five of the principal Act and this section, be deemed to be, and always to have been, the person entitled to the settled land.

(3) The person by whom the right of pre-emption conferred by the said section five as amended by this section is or would for the time being be exerciseable in respect of any land if a Government department were offering that land for sale shall have power at any time to release that right so as to discharge in perpetuity the land or any part thereof to which the release relates, from all such right of pre-emption.

Provision as to acquisition and possession of land under the principal Act.

3.—(1) It is hereby declared that—

(*a*) the power of acquiring land or interest in land conferred by section three of the principal Act authorises, and shall be deemed always to have authorised, such acquisition for the purposes of resale, in cases when such resale is required with a view to the realisation to the best possible advantage of the value of buildings and works erected, executed, or constructed wholly or partly at the expense of the State, or of any State which acted in alliance or in naval or military co-operation with His Majesty during the war, or when for any other reason it appears expedient in the financial interests of the State or of such State that the acquisition for such purposes should be authorised: Provided that nothing in this subsection shall interfere with the right of pre-emption conferred by section five of the principal Act as amended by section two of this Act:

(*b*) the expressions "Government department in possession" and "occupying department," where used in the principal Act and this Act mean, and shall be deemed always to have meant, the Government department for the time being in possession of land, notwithstanding that the department so in possession is not the department by which or on whose behalf possession was originally taken, but is in possession by virtue of a transfer from the said department or from some other department to which possession has subsequently been transferred:

(*c*) where the occupying department has created or purported to create any tenancy or other interest in the land of which it is in possession in favour of some other person, or has allowed any other person

to use or occupy that land, the occupying department shall, for the purposes of the principal Act and this Act, be deemed to have continued in possession of the land, notwithstanding the interest therein of, or the use or occupation thereof by, such other person:

(*d*) the possession by an occupying department shall be deemed not to have been affected or prejudiced by reason of the land or any part thereof at any time ceasing or having ceased to be used for the purpose for which possession thereof was originally taken, or otherwise being or having been used for any other purpose:

(*e*) subsection (4) of section one of the principal Act shall not be construed as limiting the power of one Government department to transfer possession of land to another Government department during the continuance of the present war.

(2) A Government department in possession of land under a lease or tenancy granted or created prior to the commencement of the present war shall have the like power of removing any building or other work which, for purposes connected with the present war, has been erected or constructed on, over, or under that land wholly or partly at the expense of the State as is conferred by section two of the principal Act on an occupying department, and this power shall be exerciseable notwithstanding any provision of the lease or tenancy under which the land is held, and paragraph (*b*) of the first proviso to subsection (1) of section two of the principal Act shall not apply to any such provision.

Consent under section six of the principal Act.

4.—(1) It is hereby declared that the consent—

(*a*) of a local authority under the proviso to subsection (1) of section six of the principal Act to the use of a railway or tramway across a roadway on the level being continued after the expiration of two years from the termination of the present war; and

(*b*) of the commission under subsection (3) of that section as to keeping a public highway closed beyond the expiration of twelve months after the termination of the present war,

may be given at any time before the expiration of those two years or those twelve months as the case may be.

(2) If any person considers that the consent of a local authority under the said proviso to subsection (1) of section six has been unreasonably withheld, he may appeal to the Minister of Transport whose decision shall be final and shall have effect as if it were a decision of the authority:

Provided that the Minister may, before considering any such appeal, require the appellant to deposit such sum, not exceeding ten pounds, to cover the costs of appeal as may be fixed by rules to be made by him.

Provisions as to retention of possession and acquisition of land belonging to railway companies, &c.

5.—(1) For paragraph (*b*) of subsection (2) of section thirteen of the principal Act, the following paragraph shall be substituted :—

"(*b*) land belonging to any company or corporation carrying on a railway, dock, canal, water, or other public undertaking, other than—

(i) land which having before the commencement of the present war been used for the purposes of the undertaking, had before that date ceased to be so used; and

(ii) land which had never been so used before that date, not being in either case land shown to the satisfaction of the Railway and Canal Commission to be required for the purposes of the undertaking."

(2) Where under the said subsection the consent of the appropriate Government department to the retention of the possession of land mentioned in the said paragraph (*b*) is requested by the occupying department, the first-mentioned department, in determining whether consent shall be given, shall take into consideration all the circumstances of the case.

Easements.

6. For the purposes of sections one, two, three, ten, and thirteen of the principal Act and for the purposes of this Act, the exercise or enjoyment of any easement or right over or in relation to land shall be deemed to be possession of that easement or right.

Temporary continuation of existing byelaws as to ranges.

7. Any byelaws made under the Military Lands Acts, 1892 to 1903, as modified by regulation seventeen of the Defence of the Realm Regulations for regulating the use of any area for the purpose of a rifle, artillery, aerial or other range, or for securing the public against danger arising from that use, shall, unless previously revoked, continue in force until the expiration of two years from the passing of this Act.

Short title and construction.

8. This Act may be cited as the Defence of the Realm (Acquisition of Land) Act, 1920, and shall be construed as one with the principal Act, and that Act and this Act may be cited together as the Defence of the Realm (Acquisition of Land) Acts, 1916 and 1920.

CHAPTER 80.

An Act to enable effect to be given to a Convention for regulating Air Navigation, and to make further provision for the control and regulation of aviation.

[23rd December 1920.]

WHEREAS the full and absolute sovereignty and rightful jurisdiction of His Majesty extends, and has always extended, over the air superincumbent on all parts of His Majesty's dominions and the territorial waters adjacent thereto:

And whereas a Convention (in this Act referred to as "the Convention") for determining by a common agreement certain uniform rules with respect to international air navigation, was signed on behalf of His Majesty in Paris on the thirteenth day of October, nineteen hundred and nineteen, and has been presented to Parliament:

And whereas it is expedient to make further provision for controlling and regulating the navigation of aircraft, whether British or foreign, within the limits of His Majesty's jurisdiction as aforesaid, and, in the case of British aircraft, for regulating the navigation thereof both within such jurisdiction and elsewhere:

And whereas it is also expedient that provision should be made by Parliament for enabling effect to be given to the Convention:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

POWER TO APPLY CONVENTION.

Power to give effect to Convention.

1. His Majesty may make such Orders in Council as appear to him necessary for carrying out the Convention and for giving effect thereto or to any of the provisions thereof, or to any amendment which may be made under article thirty-four thereof.

Power to apply Convention to internal flying.

2. His Majesty may, by Order in Council, direct that the provisions of the Convention for the time being in force, or any of them, and whether or not those provisions are limited to aircraft of any special description, or engaged in any special kind of navigation, shall apply to or in relation to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and may make such consequential and supplementary provisions as appear necessary or expedient for the purpose of such application.

Special provisions which may be made by Order in Council.

3. Without prejudice to the generality of the powers hereinbefore conferred, an Order in Council under this Part of this Act may make provision—

(*a*) prescribing the authority by which any of the powers exerciseable under the Convention by a contracting State, or by any authority therein, are to be exercised in the British Islands;

(*b*) for the licensing, inspection, and regulation of aerodromes, for access to aerodromes and places where aircraft have landed, for access to aircraft factories for the purpose of inspecting the work therein carried on, for prohibiting or regulating the use of unlicensed aerodromes, and for the licensing of personnel employed at aerodromes in the inspection or supervision of aircraft;

(*c*) as to the manner and conditions of the issue and renewal of any certificate or licence required by the Order or by the Convention, including the examinations and tests to be undergone, and the form, custody, production, cancellation, suspension, endorsement and surrender of any such certificate or licence;

(*d*) as to the keeping and form of the register of British aircraft;

(*e*) as to the conditions under which aircraft may be used for carrying goods, mails and passengers;

(*f*) as to the conditions under which aircraft may pass, or goods, mails, or passengers may be conveyed by aircraft, into or from the British Islands, or from one British island to another;

(*g*) exempting from the provisions of the Order or of the Convention, or any of them, aircraft flown for experimental purposes, or any other aircraft or persons where it appears unnecessary that the same should apply;

(*h*) prescribing the scales of charges at licensed aerodromes;

(*i*) prescribing, subject to the consent of the Treasury, the fees to be paid in respect of the grant of any certificate or licence or otherwise for the purposes of the Order or the Convention;

(*j*) supplementing the Convention, in such manner as appears necessary or expedient, by general safety regulations;

(*k*) for the control and regulation of aerial lighthouses, and lights at or in the neighbourhood of aerodromes and aerial lighthouses;

(*l*) regulating the signals which may be made by aircraft and persons carried therein; and

(*m*) for the imposition of penalties (not exceeding imprisonment for a term of six months and a fine of two hundred pounds) to secure compliance with the Order or the Convention, and for the mode of

enforcing such penalties, and authorising any steps to be taken for preventing aircraft from flying over prohibited areas or entering the British Islands in contravention of the Order or the Convention which were authorised to be taken under section two of the Aerial Navigation Act, 1913, for the purposes of that section.

2 & 3 Geo. 5. c. 22.

Application to British possessions, &c.

4.—(1) His Majesty may, by Order in Council, extend, with any necessary modifications and exceptions, any of the provisions of this Act to any British possessions other than those mentioned in the Schedule to this Act, and to any territory under His Majesty's protection:

Provided that the expression "territory under His Majesty's protection" shall not include any territory over which the Government of any part of His Majesty's Dominions mentioned in the Schedule to this Act exercises authority.

(2) His Majesty may, by any such Order in Council extending any provisions of this Act as aforesaid, or by any subsequent Order, make any provisions of an Order in Council made under sections one to three of this Act applicable to any such possessions or territories as aforesaid, and to registered aircraft being the property of British subjects resident or companies incorporated therein, with such modifications and extensions as shall appear necessary.

Expenses of international commission for air navigation, &c.

5. Any sums required for the contribution from the United Kingdom for the organisation and operations of the international commission for air navigation set up under the Convention, or occasioned by the sending of technical delegations, shall be paid by the Secretary of State out of moneys provided by Parliament.

PART II.

GENERAL.

Purposes of Air Council. 7 & 8 Geo. 5, c. 51.

6. The purposes of the Air Council, established under the Air Force (Constitution) Act, 1917, shall extend so as to include all matters connected with air navigation.

Special powers in case of emergency.

7.—(1) In time of war, whether actual or imminent, or of great national emergency, the Secretary of State may, by order, regulate or prohibit, either absolutely or subject to such conditions as may be contained in the order, and notwithstanding the provisions of this Act or any Order or regulations made thereunder, the navigation of all or any descriptions of aircraft over the British Islands or any portion thereof, or the territorial waters adjacent thereto; and, without prejudice to the generality of this provision, any such order may provide for taking possession of and using for the purposes of His Majesty's naval, military or air forces any aerodrome or landing ground, or any aircraft,

machinery, plant, material or things found therein or thereon, and for regulating or prohibiting the use, erection, building, maintenance or establishment of any aerodrome, flying school, or landing ground, or any class or description thereof.

(2) The order may provide for the imposition of penalties to secure compliance with the order, not exceeding those which may be imposed for contravention of an Order in Council under Part I. of this Act, and may authorise such steps to be taken in order to secure such compliance as appear to the Secretary of State to be necessary.

(3) Any person who suffers direct injury or loss, owing to the operation of an order of the Secretary of State under this section, shall be entitled to receive compensation from the Secretary of State, the amount thereof to be fixed, in default of agreement, by an official arbitrator appointed under the Acquisition of Land (Assessment of Compensation) Act, 1919, the principles of that Act being applied, with the necessary modifications, where possession is taken of any land or premises: 9 & 10 Geo. 5. c. 57.

Provided that no compensation shall be payable by reason of the operation of a general order under this section prohibiting flying in the British Islands or any part thereof.

(4) An order under this section may be revoked or varied by a subsequent order made by the Secretary of State.

Establishment of aerodromes by Air Council and local authorities.

8.—(1) The Air Council, and any local authority to which this section applies with the consent of the Air Council, and subject to such conditions as the Air Council may prescribe, shall have power to establish and maintain aerodromes (including power to provide and maintain roads and approaches, buildings and other accommodation and apparatus and equipment for such aerodromes) and to acquire land for that purpose, by purchase or hire, in the case of a local authority by agreement, and in the case of the Air Council either by agreement or in accordance with the provisions of this Act as to the acquisition of land by the Air Council. Land may be acquired by a local authority under this section either within or without the area of the authority.

(2) A local authority providing an aerodrome under this section shall have power to carry on in connection therewith any subsidiary business certified by the Air Council to be ancillary to the carrying on of an aerodrome.

(3) The local authorities to which this section applies are the common council of the City of London, the councils of counties and county boroughs, and urban district councils, and the expenses of those councils under this section shall be defrayed, in the case of the common council of the city of London out of the general rate, in the case of a county council as expenses for general county purposes, and in the case of other councils as expenses incurred in the administration of the Public Health Acts, 1875 to 1908.

(4) A local authority may borrow for the purposes of this section, in the case of the common council of the city of London under the City of London Sewers Acts, 1848 to 1897, and in the case of a county council under section sixty-nine of the Local Government Act, 1888, as if those purposes were mentioned in that section, and in the case of the council of a county borough or urban district shall have the same power of borrowing under this section as they have under the Public Health Acts, 1875 to 1908, for the purpose of defraying any expenses incurred by them in the administration of those Acts, but money so borrowed shall not be reckoned as part of the debt of such local authority for the purposes of any enactment limiting the powers of borrowing by the authority.

51 & 52 Vict. c. 41.

(5) For the purpose of the purchase of land under this section by a local authority, the Lands Clauses Acts shall be incorporated with this Act except the provisions of those Acts with respect to the purchase and taking of land otherwise than by agreement.

Trespass, nuisance, and responsibility for damage.

9.—(1) No action shall lie in respect of trespass or in respect of nuisance, by reason only of the flight of aircraft over any property at a height above the ground, which, having regard to wind, weather, and all the circumstances of the case is reasonable, or the ordinary incidents of such flight, so long as the provisions of this Act and any Order made thereunder and of the Convention are duly complied with; but where material damage or loss is caused by an aircraft in flight, taking off, or landing, or by any person in any such aircraft, or by any article falling from any such aircraft, to any person or property on land or water, damages shall be recoverable from the owner of the aircraft in respect of such damage or loss, without proof of negligence or intention or other cause of action, as though the same had been caused by his wilful act, neglect or default, except where the damage or loss was caused by or contributed to by the negligence of the person by whom the same was suffered:

Provided that, where any damages recovered from or paid by the owner of an aircraft under this section arose from damage or loss caused solely by the wrongful or negligent action or omission of any person other than the owner or some person in his employment, the owner shall be entitled to recover from that person the amount of such damages, and in any such proceedings against the owner the owner may, on making such application to the court and on giving such undertaking in costs as may be prescribed by rules of court, join any such person as aforesaid as a defendant, but where such person is not so joined he shall not in any subsequent proceedings taken against him by the owner be precluded from disputing the reasonableness of any damages recovered from or paid by the owner.

(2) Where any aircraft has been bonâ fide demised, let, or hired out for a period exceeding fourteen days to any other person

by the owner thereof, and no pilot, commander, navigator, or operative member of the crew of the aircraft is in the employment of the owner, this section shall have effect as though for references to the owner there were substituted references to the person to whom the aircraft has been so demised, let, or hired out.

Penalty for dangerous flying.

10.—(1) Where an aircraft is flown in such a manner as to be the cause of unnecessary danger to any person or property on land or water, the pilot or the person in charge of the aircraft, and also the owner thereof, unless he proves to the satisfaction of the court that the aircraft was so flown without his actual fault or privity, shall be liable on summary conviction to a fine not exceeding two hundred pounds, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such imprisonment and fine.

For the purposes of this section, the expression "owner" in relation to an aircraft includes any person by whom the aircraft is hired at the time of the offence.

(2) The provisions of this section shall be in addition to and not in derogation of any general safety or other regulations prescribed by Order in Council under Part I. of this Act.

Wreck and salvage.

11. The law relating to wreck and to salvage of life or property, and to the duty of rendering assistance to vessels in distress (including the provisions of the Merchant Shipping Acts, 1894 to 1916, and any other Act relating to those subjects), shall apply to aircraft on or over the sea or tidal waters as it applies to vessels, and the owner of an aircraft shall be entitled to a reasonable reward for salvage services rendered by the aircraft to any property or persons in any case where the owner of a ship would be so entitled:

Provided that provision may be made by Order in Council for making modifications of and exemptions from the provisions of such law and Acts as aforesaid in their application to aircraft, to such extent and in such manner as appears necessary or expedient.

Power to provide for investigation of accidents.

12.—(1) The Secretary of State may make regulations providing for the investigation of any accident arising out of or in the course of air navigation and occurring in or over the British Islands or the territorial waters adjacent thereto, or to British aircraft elsewhere.

(2) Without prejudice to the generality of the foregoing provision, regulations under this section may contain provisions—

(*a*) requiring notice to be given of any such accident as aforesaid in such manner and by such persons as may be specified in the order;

(*b*) applying, with or without modification, for the purpose of investigations held with respect to any such accidents any of the provisions of section three of the Notice of Accidents Act, 1894; 57 & 58 Vict. c. 28.

(*c*) prohibiting, pending investigation, access to or interference with aircraft to which an accident has occurred, and authorising any person, so far as may be necessary for the purposes of an investigation, to have access to, examine, remove, take measures for the preservation of, or otherwise deal with any such aircraft;

(*d*) authorising or requiring the cancellation, suspension, endorsement, or surrender of any licence or certificate granted under this Act or any order made thereunder, where it appears on an investigation that the licence ought to be cancelled, suspended, endorsed, or surrendered, and for the production of any such licence for the purpose of being so dealt with:

Provided that nothing in the section shall limit the powers of any authority under sections five hundred and thirty to five hundred and thirty-seven inclusive of the Merchant Shipping Act, 1894, or any enactment (including this Act) amending those sections.

57 & 58 Vict. c. 60.

(3) If any person contravenes or fails to comply with any regulations under this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding three months.

Infringement of patents.

13.—(1) Where it is alleged by any person interested that a foreign aircraft making a passage through or over the British Islands infringes in itself or in any part of it any invention, design or model which is entitled to protection in the British Islands, it shall be lawful, subject to and in accordance with Rules of Court, to detain such aircraft until the owner thereof deposits or secures in respect of the alleged infringement a sum (in this section called the deposited sum), and thereupon the aircraft shall not, during the continuance or in the course of the passage, be subject to any lien, arrest, detention or prohibition, whether by order of a court or otherwise, in respect or on account of the alleged infringement.

(2) The deposited sum shall be such a sum as may be agreed between the parties interested, or in default of agreement shall be fixed by the Secretary of State or some person duly authorised on his behalf, and payment thereof shall be made or secured to him in such manner as he shall approve. The deposited sum shall be dealt with by such tribunal and in accordance with such procedure as may be prescribed by Rules of Court, and such rules may provide generally for carrying this section into effect.

(3) For the purposes of this section, the expression "owner" shall include the actual owner of an aircraft, and any person claiming through or under him, and the expression "passage" shall include all reasonable landings and stoppages in the course or the purpose of a passage.

Jurisdiction.

14.—(1) Any offence under this Act or under an Order in Council or regulations made thereunder, and any offence whatever committed on a British aircraft, shall, for the purpose of conferring jurisdiction, be deemed to have been committed in any place where the offender may for the time being be.

(2) His Majesty may, by Order in Council, make provision as to the courts in which proceedings may be taken for enforcing any claim under this Act, or any other claim in respect of aircraft, and in particular may provide for conferring jurisdiction in any such proceedings on any court exercising Admiralty jurisdiction and applying to such proceedings any rules of practice or procedure applicable to proceedings in Admiralty.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall, with the necessary modifications, and in particular with the substitution of the Air Council for the Board of Trade, apply to the detention of any aircraft under this Act or any orders or regulations made thereunder as it applies to the detention of a ship under that Act.

Acquisition of land.

15. The power of a Secretary of State to acquire land under the Military Lands Acts, 1892 to 1903, shall include power to acquire land for the purposes of this Act and generally for the purposes of civil aviation, and those Acts shall have effect accordingly with the necessary modifications, and in particular as though references to a military purpose included references to any such purposes as aforesaid.

Expenses of the Secretary of State and Air Council.

16. Any expenses incurred by a Secretary of State or the Air Council in the exercise of their powers under this Act, including the expenses of any investigation under this Act, shall be paid out of moneys provided by Parliament.

Provisions as to Orders in Council.

17.—(1) An Order in Council under this Act may be made applicable to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and to British aircraft wherever they may be.

(2) An Order in Council under this Act may be revoked or varied by a subsequent Order in Council.

(3) Any Order in Council made under this Act shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such Order is laid before it praying that the Order or any provision thereof may be annulled, His Majesty in Council may annul the Order or provision, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Savings.

18.—(1) This Act shall not apply to aircraft belonging to or exclusively employed in the service of His Majesty:

Provided that His Majesty may, by Order in Council, apply to any such aircraft, with or without modification, any of the

provisions of this Act or of any orders or regulations made thereunder.

(2) Nothing in this Act, or in any orders or regulations thereunder, shall prejudice or affect the rights, powers, or privileges of any general or local lighthouse authority.

Application to Scotland and Ireland.

19.—(1) This Act shall apply to Scotland subject to the following modifications :—

Subsections (3) and (4) of the section of this Act relating to establishment of aerodromes by the Air Council and local authorities shall not apply, and in lieu thereof—

(*a*) the local authorities to which the said section shall apply shall be county councils and town councils, and the expenses of county councils under the said section shall be defrayed out of the general purposes rate, provided that notwithstanding anything in the Local Government (Scotland) Act, 1889, the ratepayers of any police burgh, which shall have established an aerodrome in virtue of the powers conferred by the said section, shall not be assessed by the county council for any such expenses, and the expenses of town councils under the said section shall be defrayed out of the public health general assessment, provided that such expenses shall not be reckoned in any calculation as to the statutory limit of that assessment;

52 & 53 Vict. c. 50.

(*b*) a county council may borrow for the purposes of the said section on the security of the general purposes rate in the manner and subject to the conditions prescribed by the Local Government (Scotland) Act, 1889, and a town council may borrow for the purposes of the said section on the security of the public health general assessment in like manner and subject to the like conditions as they may borrow for the purpose of the provision of hospitals.

(2) This Act shall apply to Ireland subject to the following modifications :—

References to the Public Health (Ireland) Acts, 1878 to 1919, shall be substituted for references to the Public Health Acts, 1875 to 1908, and a reference to Article 22 of the Schedule to the Local Government (Application of Enactments) Order, 1898, shall be substituted for the references to section sixty-nine of the Local Government Act, 1888.

Short title, repeal, and commencement.

20.—(1) This Act may be cited as the Air Navigation Act, 1920.

(2) The Air Navigation Acts, 1911 to 1919, are hereby repealed :

Provided that any certificate or licence issued under those Acts or under any order made thereunder shall remain in force as though the same had been issued under this Act, and that any orders made by the Secretary of State under those Acts, and in force at the date of the passing of this Act, shall continue in force until revoked or superseded by an Order in Council under this Act, and whilst in force shall have effect as though those Acts were still in force.

SCHEDULE.

Section 4.

The Dominion of Canada.
The Commonwealth of Australia (including Norfolk Island and Papua).
The Dominion of New Zealand.
The Union of South Africa.
Newfoundland.
India.

CHAPTER 81.

An Act to amend the law with respect to the administration of justice and with respect to the constitution of the Supreme Court, to facilitate the reciprocal enforcement of judgments and awards in the United Kingdom and other parts of His Majesty's Dominions or Territories under His Majesty's protection, and to regulate the fees chargeable by, and on the registration of, Commissioners for Oaths. [23rd December 1920.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows :

PART I.

TRIAL OF MATRIMONIAL CAUSES, TRIAL BY JURY, ADMIRALTY JURISDICTION OF HIGH COURT, AND AMENDMENTS OF JUDICATURE ACTS.

Power to try matrimonial causes at assizes. 36 & 37 Vict. c. 66.

1. Any commissioner acting under a commission of assize or any other commission granted under section twenty-nine of the Supreme Court of Judicature Act, 1873, shall, subject to rules of court, have power to try and determine matrimonial causes of any prescribed class and any matters arising out of

or connected with any such causes, and shall for that purpose have all such powers and duties as are vested in the Probate, Divorce, and Admiralty Division of the High Court under the enactments relating to divorce and matrimonial causes.

For the purpose of the foregoing provision, the expression "prescribed" means prescribed by the Lord Chancellor by order made with the concurrence of the Lord Chief Justice of England and the President of the Probate, Divorce, and Admiralty Division of the High Court.

Trial by jury in the High Court.

2.—(1) Where, in any action or other matter whatsoever requiring to be tried in the High Court, the court or a judge is satisfied, on an application made by either party to the proceedings in accordance with rules of court, that the action or matter cannot as conveniently be tried with a jury as without a jury, the court or a judge shall, subject to the provisions of this section, have power, notwithstanding anything in any Act, to order the action or matter to be tried without a jury:

Provided that—

(*a*) no order for trial without a jury shall, except with the consent of both parties, be made under this section where the action or matter is one in which fraud is alleged or in which there is a claim in respect of libel, slander, malicious prosecution, false imprisonment, seduction, or breach of promise of marriage; and

20 & 21 Vict. c. 85.

(*b*) nothing in this section shall affect the right of any party under section twenty-eight of the Matrimonial Causes Act, 1857, to insist on having contested matters of fact tried with a jury, or the right of an heir at law, cited to appear in or otherwise made a party to a probate action, to a trial with a jury if he makes an application for the purpose in accordance with rules of court.

(2) Provision shall be made by rules of court for enabling the plaintiff in any action or matter in which an order for trial without a jury may be made under this section to signify his desire to have the action or matter tried without a jury, and for providing, but without prejudice to the discretion of the court or a judge, that where the plaintiff so signifies his desire an order shall be made for trial without a jury unless any party makes an application to the contrary.

8 & 9 Geo. 5. c. 23.

(3) This section shall come into operation on the date on which the Juries Act, 1918, expires, or, if His Majesty by Order in Council so directs, on such earlier date as may be specified in the Order, and, if any Order is so made, section one of the Juries Act, 1918, shall cease to have effect on the date so specified.

Trial by jury in county courts and other inferior courts of civil jurisdiction.

3.—(1) Where, in any action or other matter whatsoever requiring to be tried in a county court or any other inferior court of civil jurisdiction, the court or a judge is satisfied, on an application made by either party to the proceedings in accordance with rules of court, that the action or matter cannot as conveniently be tried with a jury as without a jury, the court or a judge shall, subject as hereinafter provided, have power, notwithstanding anything in any Act, to order the trial of the action or matter without a jury:

Provided that—

(*a*) no order for trial without a jury shall be made where the action or matter is one in the case of which, if it were tried in the High Court, there would be no power under the provisions of this Act to order a trial without a jury; and

(*b*) no such order shall be made without the consent of both parties, where the action or matter is one in the case of which, if it were tried in the High Court, there would be no power under the provisions of this Act to make such an order except with the consent of both parties.

(2) Notwithstanding anything in any Act, it shall not be lawful for any party in a county court or any other inferior court of civil jurisdiction to require any action or other matter arising under the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920, to be tried with a jury. 10 & 11 Geo. 5. c. 17.

(3) This section shall come into operation on the date on which the Juries Act, 1918, expires, or, if His Majesty by Order in Council so directs, on such earlier date as may be specified in the Order, and, if any Order is so made, sections three and four of the Juries Act, 1918, shall cease to have effect on the date so specified. 8 & 9 Geo. 5. c. 23.

Proceedings before grand jury where defendant has admitted charge before examining justices.

4.—(1) Where any person charged before any justice or justices with an offence pleads guilty or admits the truth of the charge before the justice or justices and is committed for trial, the clerk to the justice or justices shall, before the date fixed for the holding of the assizes or quarter sessions at which the person so committed is to be tried, transmit to the clerk of the assize or clerk of the peace, as the case may be, a certificate stating that the person so committed so pleaded guilty or admitted the truth of the charge, and the grand jury, on the production to them of the certificate, shall forthwith, without hearing or examining any witnesses, return a true bill as respects that charge.

(2) This section shall come into operation on the date on which the Grand Juries (Suspension) Act, 1917, expires, or, if His Majesty by Order in Council so directs, on such earlier date as may be specified in the Order, and, if any Order is so made, the 7 & 8 Geo. 5. c. 4.

Grand Juries (Suspension) Act, 1917, shall cease to have effect on the date so specified.

Amendment as to Admiralty jurisdiction of High Court.

5.—(1) The Admiralty jurisdiction of the High Court shall, subject to the provisions of this section, extend to—

(*a*) any claim arising out of an agreement relating to the use or hire of a ship; and

(*b*) any claim relating to the carriage of goods in any ship; and

(*c*) any claim in tort in respect of goods carried in any ship:

Provided that—

(i) this section shall not apply in any case in which it is shown to the court that at the time of the institution of the proceedings any owner or part owner of the ship was domiciled in England or Wales; and

(ii) if in any proceedings under this section the plaintiff recovers a less amount than twenty pounds, he shall not be entitled to any costs of the proceedings, or, if in any such proceedings the plaintiff recovers a less amount than three hundred pounds, he shall not be entitled to any more costs than those to which he would have been entitled if the proceedings had been brought in a county court, unless in either case the court or a judge certifies that there was sufficient reason for bringing the proceedings in the High Court.

(2) The jurisdiction conferred by this section may be exercised either in proceedings in rem or in proceedings in personam.

Power to make rules as to proof.

6. The power to make rules conferred by the Judicature Acts, 1873 to 1910, shall include power to make rules for regulating the means by which particular facts may be proved, and the mode in which evidence thereof may be given, in any proceedings or on any application in connection with or at any stage of any proceedings.

Precedence of President of Probate, Divorce, and Admiralty Division.

7. The President of the Probate, Divorce, and Admiralty Division of the High Court shall have rank and precedence next after the Master of the Rolls.

Ex-judges of Supreme Court empowered on request of the Lord Chancellor to sit as judges.

8. The Lord Chancellor may at any time, subject to the provisions of this section, request any person who has held the office of a judge of the Court of Appeal or of a judge of the High Court to sit and act as a judge either of the Court of Appeal or of the High Court, and every such person so requested shall, while so sitting and acting, have all the jurisdiction, powers and privileges of a judge of the court in which he is so sitting and acting, but shall not otherwise be deemed to be a judge of the court:

Provided that—

(*a*) nothing in this section shall be deemed to require any such person as aforesaid to sit and act as a judge unless he consents so to do; and

(*b*) the Lord Chancellor shall not request any person to sit and act as a judge of the King's Bench Division or of the Probate, Divorce and Admiralty Division except with the concurrence of the Lord Chief Justice of England or of the President of the Probate, Divorce and Admiralty Division respectively.

PART II.

RECIPROCAL ENFORCEMENT OF JUDGMENTS IN THE UNITED KINGDOM AND IN OTHER PARTS OF HIS MAJESTY'S DOMINIONS.

Enforcement in the United Kingdom of judgments obtained in superior courts in other British dominions.

9.—(1) Where a judgment has been obtained in a superior court in any part of His Majesty's dominions outside the United Kingdom to which this Part of this Act extends, the judgment creditor may apply to the High Court in England or Ireland, or to the Court of Session in Scotland, at any time within twelve months after the date of the judgment, or such longer period as may be allowed by the court, to have the judgment registered in the court, and on any such application the court may, if in all the circumstances of the case they think it is just and convenient that the judgment should be enforced in the United Kingdom, and subject to the provisions of this section, order the judgment to be registered accordingly.

(2) No judgment shall be ordered to be registered under this section if—

(*a*) the original court acted without jurisdiction; or

(*b*) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit or agree to submit to the jurisdiction of that court; or

(*c*) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court; or

(*d*) the judgment was obtained by fraud; or

(*e*) the judgment debtor satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment; or

(*f*) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason could not have been entertained by the registering court.

(3) Where a judgment is registered under this section—

(*a*) the judgment shall, as from the date of registration, be of the same force and effect, and proceedings may be taken thereon, as if it had been a judgment originally obtained or entered up on the date of registration in the registering court;

(*b*) the registering court shall have the same control and jurisdiction over the judgment as it has over similar judgments given by itself, but in so far only as relates to execution under this section;

(*c*) the reasonable costs of and incidental to the registration of the judgment (including the costs of obtaining a certified copy thereof from the original court and of the application for registration) shall be recoverable in like manner as if they were sums payable under the judgment.

(4) Rules of court shall provide—

(*a*) for service on the judgment debtor of notice of the registration of a judgment under this section; and

(*b*) for enabling the registering court on an application by the judgment debtor to set aside the registration of a judgment under this section on such terms as the court thinks fit; and

(*c*) for suspending the execution of a judgment registered under this section until the expiration of the period during which the judgment debtor may apply to have the registration set aside.

(5) In any action brought in any court in the United Kingdom on any judgment which might be ordered to be registered under this section, the plaintiff shall not be entitled to recover any costs of the action unless an application to register the judgment under this section has previously been refused or unless the court otherwise orders.

Issue of certificates of judgments obtained in the United Kingdom.

10. Where a judgment has been obtained in the High Court in England or Ireland, or in the Court of Session in Scotland, against any person, the court shall, on an application made by the judgment creditor and on proof that the judgment debtor is resident in some part of His Majesty's dominions outside the United Kingdom to which this Part of this Act extends, issue to the judgment creditor a certified copy of the judgment. . . .

Power to make rules.

11. Provision may be made by rules of court for regulating the practice and procedure, (including scales of fees and evidence), in respect of proceedings of any kind under this Part of this Act.

Interpretation.

12.—(1) In this Part of this Act, unless the context otherwise requires—

The expression "judgment" means any judgment or order given or made by a court in any civil proceedings, whether

before or after the passing of this Act, whereby any sum of money is made payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place:

The expression "original court" in relation to any judgment means the court by which the judgment was given:

The expression "registering court" in relation to any judgment means the court by which the judgment was registered:

The expression "judgment creditor" means the person by whom the judgment was obtained, and includes the successors and assigns of that person:

The expression "judgment debtor" means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was given.

(2) Subject to rules of court, any of the powers conferred by this Part of this Act on any court may be exercised by a judge of the court.

Power to apply Part II. of Act to territories under His Majesty's protection.

13. His Majesty may by Order in Council declare that this Part of this Act shall apply to any territory which is under His Majesty's protection, or in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions, as if that territory were part of His Majesty's dominions, and on the making of any such Order this Part of this Act shall, subject to the provisions of the Order, have effect accordingly.

Extent of Part II. of Act.

14.—(1) Where His Majesty is satisfied that reciprocal provisions have been made by the legislature of any part of His Majesty's dominions outside the United Kingdom for the enforcement within that part of His dominions of judgments obtained in the High Court in England, the Court of Session in Scotland, and the High Court in Ireland, His Majesty may by Order in Council declare that this Part of this Act shall extend to that part of His dominions, and on any such Order being made this Part of this Act shall extend accordingly.

(2) An Order in Council under this section may be varied or revoked by a subsequent Order.

PART III.

MISCELLANEOUS.

Questions of foreign law to be decided by judge.

15. Where, for the purpose of disposing of any action or other matter which is being tried by a judge with a jury in any court in England or Wales, it is necessary to ascertain the law of any other country which is applicable to the facts of

the case, any question as to the effect of the evidence given with respect to that law shall, instead of being submitted to the jury, be decided by the judge alone.

Power as to appointment of arbitrators where submission provides for three arbitrators.

16.—(1) Where a submission to arbitration provides that the reference shall be to three arbitrators, one to be appointed by each party and the third to be appointed by the two appointed by the parties, then, unless the submission expresses a contrary intention—

(*a*) If one party fails to appoint an arbitrator for seven clear days after the other party, having appointed his arbitrator, has served the party making default with notice to make the appointment, the party who has appointed an arbitrator may appoint that arbitrator to act as sole arbitrator in the reference, and the award of the arbitrator so appointed shall be binding on both parties as if he had been appointed by consent:

(*b*) If after each party has appointed an arbitrator the two arbitrators appointed fail to appoint a third arbitrator within seven clear days after the service by either party of a notice upon them to make the appointment, the court or a judge may, on an application by the party who gave the notice, exercise in the place of the two arbitrators the power of appointing the third arbitrator:

(*c*) If an arbitrator, appointed either by one of the parties, by the two arbitrators, or by the court or a judge, refuses to act, or is incapable of acting, or dies, a new arbitrator may be appointed in his place by the party, arbitrators, or court or judge, as the case may be.

(2) The court or a judge may set aside any appointment of a person to act as sole arbitrator made in pursuance of this section.

(3) This section shall be construed as if it were included in the Arbitration Act, 1889, and that Act shall have effect accordingly.

52 & 53 Vict. c. 49.

Power to grant probate to corporations.

17.—(1) Where a corporation, being a corporation to which this section applies, is named as the executor of the will of a deceased person who at the time of his death was domiciled in England, probate of the will may be granted by the High Court to that corporation by its corporate name, and a corporation to which probate is granted in pursuance of this section shall, subject to the provisions of any rules made for giving effect to this section, have the same rights and be subject to the same liabilities and duties in all respects as an individual to whom probate is granted.

20 & 21 Vict. c. 77.

(2) Rules may be made under section thirty of the Court of Probate Act, 1857, for giving effect to this section, and in

particular for modifying in their application to a corporation any enactments relating to executors and for prescribing the person who is to act on behalf of a corporation for the purpose of any oath required to be taken, or any other thing required to be done, by an executor on an application for or otherwise in connection with a grant of probate.

(3) The corporations to which this section applies are all corporations having their principal place of business in the United Kingdom.

Amendment of law as to administration bonds. 20 & 21 Vict. c. 77.

18.—(1) All bonds given after the commencement of this Act under section eighty-one of the Court of Probate Act, 1857, shall be taken to or for the use of His Majesty, and, subject as aforesaid, shall be in such form as the President of the Probate, Divorce, and Admiralty Division of the High Court may by general or special order direct.

(2) Any bond given under the section aforesaid before the commencement of this Act may be enforced in the same manner in all respects as if it had been taken to or for the use of His Majesty.

Fees of commissioners for oaths and registrar of solicitors.

19.—(1) Such fees shall be chargeable—

(*a*) by commissioners for oaths in respect of the administration of an oath or the taking of an affidavit; and

(*b*) by the registrar of solicitors in respect of the registration under section thirty of the Solicitors Act, 1860, of any authority or appointment; 23 & 24 Vict. c. 127

as may be prescribed by the Lord Chancellor by order made with the concurrence of the Lord Chief Justice of England and the Master of the Rolls.

(2) Any order made under this section may be revoked or varied by a subsequent order so made.

(3) In this section the expression "affidavit" has the same meaning as in the Commissioners for Oaths Act, 1889. 52 & 53 Vict. c. 10.

Power to make regulations as to enrolment of deeds.

20.—(1) The Master of the Rolls may, subject to the provisions of this section, make regulations—

(*a*) for authorising and regulating the enrolment or filing of deeds in the Supreme Court and for prescribing the form in which certificates of enrolment or filing are to be granted; and

(*b*) prescribing the fees to be paid on the enrolment or filing of any deed, including any additional fees payable on the enrolment or filing of any deed out-of-time:

Provided that regulations shall not be made under paragraph (*a*) of this subsection so as to affect or prejudice in any manner the operation of any enactment requiring or authorising

the enrolment in the Supreme Court of any deed or prescribing the manner in which any deed is to be so enrolled.

(2) Every regulation made under this section shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat, praying that the regulation may be annulled, His Majesty may by Order in Council annul the same, and any regulation so annulled shall thenceforth be void and of no effect, but without prejudice to the validity of anything previously done thereunder.

(3) In this section the expression "deeds" includes assurances and other instruments.

Short title, repeal, and application.

21.—(1) This Act may be cited as the Administration of Justice Act, 1920.

(2) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(3) This Act, except Part II. thereof, applies only to England and Wales.

Section 21.

SCHEDULE.

ENACTMENTS REPEALED

Session and Chapter.	Short Title.	Extent of Repeal.
20 & 21 Vict. c. 77.	The Court of Probate Act, 1857.	In section eighty-one the words "to "the judge of the Court of Probate "to enure for the benefit of the "judge for the time being," and the words "which bond shall be in "such form as the judge shall "from time to time by any "general or special order direct"; section eighty-three.
23 & 24 Vict. c. 127.	The Solicitors Act, 1860.	In section thirty the words "and "for the entry of every such "authority or appointment the "registrar shall be paid by or on "behalf of the person having such "authority or appointment the "sum of one shilling."

Session and Chapter.	Short Title.	Extent of Repeal.
24 & 25 Vict. c. 10.	The Admiralty Court Act, 1861.	Section six.
44 & 45 Vict. c. 68.	The Supreme Court of Judicature Act, 1881.	In section four the words from "he shall" to the end of the section.
47 & 48 Vict. c. 61.	The Supreme Court of Judicature Act, 1884.	Section three.
51 & 52 Vict. c. 42.	The Mortmain and Charitable Uses Act, 1888.	In subsection (1) of section five the words "on application in such "manner and on payment of such "fee as may be prescribed by rules "of the Supreme Court."
51 & 52 Vict. c. 43.	The County Courts Act, 1888.	Section one hundred and one from the beginning down to the words "in this Act contained."
54 & 55 Vict. c. 53.	The Supreme Court of Judicature Act, 1891.	In section two the words from "and "the person so appointed" to the end of the section.
57 & 58 Vict. c. 16.	The Supreme Court of Judicature (Procedure) Act, 1894.	Section three.

CHAPTER 82.

An Act to amend section forty-four of the Unemployment Insurance Act, 1920. [23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Any person who has been engaged at any time in each of not less than ten separate calendar weeks since the thirty-first day of December, nineteen hundred and nineteen, or at any time in each of not less than four separate calendar weeks since the fourth day of July, nineteen hundred and twenty, in any employment which would, if the Unemployment Insurance Act, 1920, had been in force throughout the year, nineteen hundred and twenty, have made him an employed person within the meaning of that Act, shall, as respects the right to benefit

Amendment of s. 44 of 10 & 11 Geo. 5, c. 30.

during the period ending on the thirty-first day of March, nineteen hundred and twenty-one, be treated for the purposes of section forty-four of that Act as if he were a person in respect of whom not less than four contributions have been paid under that Act :

Provided that this Act shall not apply to any person who is, after the commencement of this Act, entitled to receive any sum out-of public funds under any scheme for payment of out-of-work donation.

Short title.

2. This Act may be cited as the Unemployment Insurance (Temporary Provisions Amendment) Act, 1920.

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TO THE

PUBLIC GENERAL STATUTES,

10 & 11 GEORGE 5.—A.D. 1920.

NOTE.—The capital letters placed after the chapter have the following signification :—

E.	*that the Act relates to*	England (and Wales, if it so extend).
S.	"	"	Scotland exclusively.
I.	"	"	Ireland exclusively.
U.K.	"	"	Great Britain and Ireland (and Colonies, if it so extend).
Ind.	"	"	India specially.
C.	"	"	The Colonies specially, or any of them.

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